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INVESTIGATION OF THE UNAUTHORIZED USE OF UNITED STATES PASSPORTS—PART 1

HEARING BEFORE THE COMMITTEE ON UN-AMERICAN ACTIVITIES HOUSE OF REPRESENTATIVES EIGHTY-FOURTH CONGRESS SECOND SESSION

MAY 23, 1956

Printed for the use of the Committee on Un-American Activities

(INDEX IN PART 4 OF THIS SERIES)



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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress (1946), chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.
(A) Un-American Activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time, investigations of (i) the extent character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 84TH CONGRESS

House Resolution 5, January 5, 1955

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress :

* * * * *

- (q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

- (a) Un-American Activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time, investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

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INVESTIGATION OF THE UNAUTHORIZED USE OF UNITED STATES PASSPORTS—Part 1

WEDNESDAY, MAY 23, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
COMMITTEE OF UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

The Committee on Un-American Activities convened, pursuant to call, at 10 a. m., in the Caucus Room of the Old House Office Building, Hon. Francis E. Walter (chairman) presiding.

Committee members present: Representatives Francis E. Walter, of Pennsylvania (chairman), Morgan M. Moulder, of Missouri, Edwin E. Willis, of Louisiana, and Bernard W. Kearney, of New York.

Staff members present: Richard Arens, director, and Donald T. Appell, investigator.

The CHAIRMAN. The committee will be in order.

The hearings which the Committee on Un-American Activities are beginning this morning deal with one of the most vital aspects of our entire security problem, the fraudulent procurement and misuse of American passports by persons in the service of the Communist conspiracy.

As a result of the investigations made by the committee, we are now able to document in great detail the procedures by which Communists and Communist Party sympathizers obtain passports in direct violation of American law. We can document fully how, by stealth, by concealment, and by misrepresentation, members of the Communist Party and adherents to the Communist conspiracy are able to travel abroad for purposes deliberately detrimental to the United States.

The committee has in its files hundreds of copies of fraudulent documents used by international Communist agents. These include false passport applications, false birth records, false naturalization certificates. In some cases, the purpose of the trip has been deliberately withheld; in other cases, passports have been issued to applicants who have used the identity of some other individual. Beyond this, the evidence in the possession of the committee includes records maintained by the Communist organizations themselves, proving the real use to which these passports have been put.

Under existing law, only nationals of the United States can obtain United States passports. However, leading Soviet espionage agents have received and used American passports. Some, like the notorious Gerhart Eisler, applied for them directly. Others have received them in Moscow or in other Communist espionage centers. Some of these individuals have had as many as three passports in their possession at the same time.

The case of Gerhart Eisler is a very instructive one. Eisler needed the identity of an American citizen. He applied for a passport in the name of one Samuel Liptzen. He affixed his own photograph to his application and, with it, submitted Liptzen's naturalization certificate as proof of citizenship. So skillful was this deception that only through a witness before this committee was the Government able to uncover Eisler's work. This witness, William Nowell, who was planning to go to Moscow to study at the Lenin Institute, also obtained a passport at the time he was a Communist by supplying false information about the purpose of his trip. At the Lenin Institute, he was not taught reading, writing, or arithmetic; he was taught espionage, sabotage, and political subversion. In short, he was taught all of the tactics of revolution which are implicitly approved by those who criticize the Secretary of State for denying a passport to a Communist.

Further revealing information about the use of American passports by the Soviet espionage apparatus has been provided by a former courier in that apparatus, Whittaker Chambers. Chambers has described at length the methods used to obtain birth certificates of people who have died so that a Communist agent can obtain a passport by assuming the identity of the dead person.

Many Soviet espionage agents who are American citizens and others who have posed as Americans, with false passports in their possession, have been arrested and convicted of engaging in acts against foreign governments. Conversely, passports have been used to permit Communist agents to escape prosecution in the United States.

A United States passport contains this open statement to the foreign government receiving a traveler who carries that passport:

I, the undersigned Secretary of State of the United States of America, hereby request all whom it may concern to permit, safely and freely to pass, and in case of need to give all lawful aid and protection to John Doe a citizen of the United States.

In this language, the Secretary of State certifies, in effect, the character of the person holding the passport.

There are many restrictions placed upon Americans who have been convicted of serious crimes. There are few who would concede to them the same right of travel as enjoyed by an American of unblemished character. Even the most fervent liberal would be reluctant, I am sure, to permit a suspected drug runner to pass freely from one country to another under the protection of the United States Government. Yet we have seen the very same people who approve of restrictions placed upon the criminal and the drug runner plead loudly that no restrictions should be placed on the person traveling on the business of international communism.

The District Court for the District of Columbia and the Circuit Court of Appeals have recently decided to review refusals of the Secretary of State to issue passports to various of our undesirable citizens. The applicants before the court have not only challenged the discretionary power of the Secretary of State, but further have argued that Congress has not granted this power and, beyond this, they have declared that the Constitution denies Congress such authority.

The Committee on the Judiciary is at the moment considering H. R. 9991, a bill which I have introduced to protect by law the dis-

cretionary power of the Secretary of State. I might add that the bill actually only reestablishes a law which has been on the books since 1869. The bill is necessary because the courts, apparently, do not regard the intent of Congress as it was then expressed as the intent of Congress today. I hope that we will be able to make clear the fact that this intent has not been altered.

Before calling the first witness, I wish to state that membership in the Communist Party itself has not been the determining factor in selecting the persons who have been summoned to testify here. Actually, some of the witnesses may never have been Communist Party members. Nor is it the purpose of the committee to establish the fact of Communist Party membership.

The purpose of the hearings is this: to ascertain the procedures by which the Communist Party has been able to obtain passports and make possible illegal travel for Communist Party members and sympathizers, and to determine if this situation can be remedied by legislation now being considered by the Congress.

Call your first witness, please, Mr. Arens.

Mr. ARENS. Miss Frances Knight, please, and Mr. Ashley Nicholas. Please remain standing while the chairman administers the oath.

The CHAIRMAN. Raise your right hands.

Do you swear that the testimony that you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss KNIGHT. I do.

Mr. NICHOLAS. I do.

The CHAIRMAN. Will you sit down, please.

**TESTIMONY OF FRANCES G. KNIGHT, DIRECTOR, PASSPORT OFFICE,
AND ASHLEY J. NICHOLAS, ACTING CHIEF, PASSPORT LEGAL
DIVISION, PASSPORT OFFICE, DEPARTMENT OF STATE**

Mr. ARENS. Will each of you kindly identify yourself by name and occupation?

Miss KNIGHT. I am Miss Frances G. Knight, Director of the Passport Office of the Department of State.

Mr. NICHOLAS. I am Ashley J. Nicholas, Acting Chief of the Passport Legal Division of the Passport Office.

Mr. ARENS. Miss Knight, in view of the fact that you are the chief of the Passport Office, we will pose the questions, if you please to you, and, if you, in any case, desire to refer to Mr. Nicholas, who is a technical assistant, feel free to do so, if agreeable with you.

Miss KNIGHT. Yes, sir.

Mr. ARENS. Miss Knight, what is a passport?

Miss KNIGHT. Sir; in anticipation of some basic questions, I have brought some notes and, with your permission, I would like to refer to them as I answer your questions.

The CHAIRMAN. All right.

Miss KNIGHT. There is no statutory definition of a passport. I am informed, however, that the Supreme Court in a decision back in 1835 had this to say about a passport:

It is a document which from its nature and object is addressed to foreign powers purporting only to be a request that the bearer of it may pass freely and

safely, and is to be considered rather in the character of a political document, by which the bearer is recognized in foreign countries as an American citizen, and which by usage and the law of nations is received as evidence of the fact.

Over the years, however, the Passport Office has used the following definition:

A passport is a document of identity and nationality, internationally recognized, issued to a person who is a national of the country by which it is issued. Generally it indicates that it is the right of the bearer to receive the protection and good offices of diplomatic and consular officers of his country and requests on the part of the issuing government that the officials of the foreign governments, permit the bearer to travel or sojourn in their territories and in case of need to give him all lawful aid and protection.

Volume 3, chapter 10 of Hackworth's International Law defines the American passport in the following terms:

The American passport is a document of identity and nationality issued to persons owing allegiance to the United States and intending to travel or sojourn in foreign countries. It indicates that it is the right of the bearer to receive the protection and good offices of American diplomatic and consular officers abroad and requests on the part of the Government of the United States that the officials of foreign governments permit the bearer to travel or sojourn in their territories and in case of need to give him all lawful aid and protection.

Mr. ARENS. Now, would you kindly give us the second step in the background of these hearings which we are now launching, namely, under what authority does the Passport Office, of which you are the chief, operate?

Miss KNIGHT. The Passport Office of the Department of State operates under certain basic laws and regulations, governing the issuance of passports and the control of travel of citizens and nationals of the United States. These are sections 211a of the act of July 3, 1926, title 22, United States Code, which reads:

The Secretary of State may grant and issue passports, and cause passports to be granted, issued and verified in foreign countries by diplomatic representatives of the United States and by such consul generals, consuls or vice consuls when in charge, as the Secretary of State may designate, and by the chief or other executive officer of the insular possessions of the United States under such rules as the President shall designate and prescribe for and on behalf of the United States and no other person shall grant, issue or verify such passports.

Sections 124 and 126 of Executive Order 7856, dated March 31, 1938, issued by President Franklin D. Roosevelt, reads as follows:

SECTION 124. The Secretary of State is authorized in his discretion to refuse to issue a passport, to restrict a passport for use only in certain countries, to restrict it against use in certain countries, to withdraw or cancel a passport already issued, and to withdraw a passport for the purpose of restricting its validity or use in certain countries.

The CHAIRMAN. May I interrupt at that point?

Miss KNIGHT. Yes, sir.

The CHAIRMAN. Has that Executive order ever been rescinded?

Miss KNIGHT. No, sir.

Mr. NICHOLAS. No, sir.

The CHAIRMAN. That is the last pronouncement with respect to the issuance of passports, as I understand. Yet, despite that pronounce-

ment, the courts have, in effect, overruled the regulations. Isn't that true?

Miss KNIGHT. I think so, sir; yes, sir. May I continue?

The CHAIRMAN. Please.

Miss KNIGHT (reading) :

SECTION 126. The Secretary of State is authorized to make regulations on the subject of issuing, renewing, extending, amending, restricting, or withdrawing passports additional to these rules and not inconsistent therewith.

On August 28, 1952, Secretary of State Dean Acheson issued a supplement to the passport regulations placing limitations on the issuance of passports to persons supporting the Communist movement. These regulations, which are still in effect, cover the following categories:

Mr. ARENS. May I respectfully suggest, Miss Knight, in view of the link of the passport regulations to which you are now alluding, that they now be incorporated in this record, in toto, without you taking the time to enumerate and read specifically each of the items, if that is agreeable with the chairman?

Miss KNIGHT. Yes, sir.

The CHAIRMAN. All right.

(The information is as follows:)

1. Persons who are members of the Communist Party or who have recently terminated such membership under such circumstances as to warrant the conclusion—not otherwise rebutted by the evidence—that they continue to act in furtherance of the interests and under the discipline of the Communist Party;

2. Persons, regardless of the formal state of their affiliation with the Communist Party, who engage in activities which support the Communist movement under such circumstances as to warrant the conclusion—not otherwise rebutted by the evidence—that they have engaged in such activities as a result of direction, domination, or control exercised over them by the Communist movement;

3. Persons, regardless of the formal state of their affiliation with the Communist Party, as to whom there is reason to believe, on the balance of all the evidence, that they are going abroad to engage in activities which will advance the Communist movement for the purpose, knowingly and willfully of advancing that movement.

Miss KNIGHT. The regulations of August 28, 1952, also placed limitations on the issuance of a passport where there was reason to believe an individual might engage in activities while abroad which would violate the laws of the United States.

On January 9, 1954, Secretary of State John Foster Dulles promulgated additional regulations which set forth the Rules of the Board of Passport Appeals, regarding the organization of the Board, its functions and procedures.

On January 10, 1956, Secretary Dulles amended section 51.136 of the regulations issued on August 28, 1952. The amendment provided that when it appeared to the satisfaction of the Secretary, limitations on the issuance of passports would cover persons whose activities abroad would—

1. Violate the laws of the United States;
2. Be prejudicial to the orderly conduct of foreign relations; or
3. Otherwise be prejudicial to the interests of the United States.

I have copies of these regulations, and if the committee so desires will be very glad to submit them for the record.

(The regulations are as follows:)

KNIGHT EXHIBIT No. 1

SUPPLEMENT TO PASSPORT REGULATIONS

"TITLE 22—FOREIGN RELATIONS

"CHAPTER I—DEPARTMENT OF STATE

"PART 51—PASSPORTS

"SUBPART B—REGULATIONS OF THE SECRETARY OF STATE

"Pursuant to the authority vested in me by paragraph 126 of Executive Order No. 7856, issued on March 31, 1938 (3 F. R. 681; 22 CFR 51.77), under authority of section 1 of the Act of Congress approved July 3, 1926 (44 Stat. 887; 22 USC 211 (a)), the regulations issued on March 31, 1938 (Departmental Order 749), as amended (22 CFR 51.101 to 51.134), are hereby further amended by the addition of new sections 51.135 to 51.143, as follows:

"§ 51.135 *Limitation on Issuance of Passports to Persons Supporting Communist Movement.* In order to promote the national interest by assuring that persons who support the world Communist movement of which the Communist Party is an integral unit may not, through use of United States passports, further the purposes of that movement, no passport, except one limited for direct and immediate return to the United States, shall be issued to:

"(a) Persons who are members of the Communist Party or who have recently terminated such membership under such circumstances as to warrant the conclusion—not otherwise rebutted by the evidence—that they continue to act in furtherance of the interests and under the discipline of the Communist Party;

"(b) Persons, regardless of the formal state of their affiliation with the Communist Party, who engage in activities which support the Communist movement under such circumstances as to warrant the conclusion—not otherwise rebutted by the evidence—that they have engaged in such activities as a result of direction, domination, or control exercised over them by the Communist movement;

"(c) Persons, regardless of the formal state of their affiliation with the Communist Party, as to whom there is reason to believe, on the balance of all the evidence, that they are going abroad to engage in activities which will advance the Communist movement for the purpose, knowingly and willfully of advancing that movement.

"§ 51.136 *Limitations on Issuance of Passports to Persons Likely to Violate Laws of the United States.* In order to promote the national interest by assuring that the conduct of foreign relations shall be free from unlawful interference, no passport, except one limited for direct and immediate return to the United States, shall be issued to persons as to whom there is reason to believe, on the balance of all the evidence, that they are going abroad to engage in activities while abroad which would violate the laws of the United States, or which, if carried on in the United States, would violate such laws designed to protect the security of the United States.

"§ 51.137 *Notification to Person Whose Passport Application Is Tentatively Disapproved.* A person whose passport application is tentatively disapproved under the provisions of § 51.135 or § 51.136 will be notified in writing of the tentative refusal, and of the reasons on which it is based, as specifically as in the judgment of the Department of State security considerations permit. He shall be entitled, upon request, and before such refusal becomes final, to present his case and all relevant information informally to the Passport Division. He shall be entitled to appear in person before a hearing officer of the Passport Division, and to be represented by counsel. He will, upon request, confirm his oral statements in an affidavit for the record. After the applicant has presented his case, the Passport Division will review the record and, after consultation with other interested offices, advise the applicant of the decision. If the decision is adverse, such advice will be in writing and shall state the reasons on which the decision is based as specifically as within the judgment of the Department of State security limitations permit. Such advice shall also inform the applicant of his right to appeal under § 51.138.

"§ 51.138 *Appeal by Passport Applicant.* In the event of a decision adverse to the applicant, he shall be entitled to appeal his case to the Board of Passport Appeals provided for in § 51.139.

"§ 51.139 *Creation and Functions of Board of Passport Appeals.* There is hereby established within the Department of State a Board of Passport Appeals, hereinafter referred to as the Board, composed of not less than three officers of the Department to be designated by the Secretary of State. The Board shall act on all appeals under § 51.138. The Board shall adopt and make public its own rules of procedures, to be approved by the Secretary, which shall provide that its duties in any case may be performed by a panel of not less than three members acting by majority determination. The rules shall accord applicant the right to a hearing and to be represented by counsel, and shall accord applicant and each witness the right to inspect the transcript of his own testimony.

"§ 51.140 *Duty of Board to Advise Secretary of State on Action for Disposition of Appealed Cases.* It shall be the duty of the Board, on all the evidence, to advise the Secretary of the action it finds necessary and proper to the disposition of cases appealed to it, and to this end the Board may first call for clarification of the record, further investigation, or other action consistent with its duties.

"§ 51.141 *Bases for Findings of Fact by Board.* (a) In making or reviewing findings of fact, the Board, and all others with responsibility for so doing under §§ 51.135–51.143, shall be convinced by a preponderance of the evidence, as would a trial court in a civil case.

"(b) Consistent and prolonged adherence to the Communist Party line on a variety of issues and through shifts and changes of that line will suffice, prima facie, to support a finding under § 51.135 (b).

"§ 51.142 *Oath or Affirmation by Applicant as to Membership in Communist Party.* At any stage of the proceedings in the Passport Division or before the Board, if it is deemed necessary, the applicant may be required, as a part of his application, to subscribe, under oath or affirmation, to a statement with respect to present or past membership in the Communist Party. If applicant states that he is a Communist, refusal of a passport in his case will be without further proceedings.

"§ 51.143 *Applicability of Sections 51.135–51.142.* When the standards set out in § 51.135 or § 51.136 are made relevant by the facts of a particular case to the exercise of the discretion of the Secretary under § 51.75, the standards in 51.135 and § 51.136 shall be applied and the procedural safeguards of §§ 51.137–51.142 shall be followed in any case where the person affected takes issue with the action of the Department in granting, refusing, restricting, withdrawing, cancelling, revoking, extending, renewing, or in any other fashion or degree affecting the ability of a person to use a passport through action taken in a particular case.

"For the Secretary of State :

"W. K. SCOTT,
"Acting Deputy Under Secretary."

KNIGHT EXHIBIT No. 2

CODE OF FEDERAL REGULATIONS

TITLE 22—FOREIGN RELATIONS

CHAPTER I—DEPARTMENT OF STATE

PART 51—PASSPORTS

SUBPART B—REGULATIONS OF THE SECRETARY OF STATE

RULES OF THE BOARD OF PASSPORT APPEALS ¹

Pursuant to the authority vested in the Board of Passport Appeals by the Regulations of the Secretary of State issued on August 28, 1952 (17 F. R. 8013; 22 C. F. R. 51.139) and pursuant to the authority vested in the Secretary of State by paragraph 126 of Executive Order No. 7856, issued on March 31, 1948 (3 F. R. 681; 22 C. F. R. 51.77), under authority of section 1 of the act of Congress approved July 3, 1926 (44 Stat. 887; 22 U. S. C. 211 (a)), the regulations issued on March 31, 1938 (Departmental Order 749) as amended (22 C. F. R. 51.101 through 51.143) are hereby further amended by the addition of the following

¹ Published in 19 F. R. 161, January 9, 1954.

Rules of the Board of Passport Appeals as adopted by the Board, and approved by the Secretary for incorporation as sections 51.151 through 51.170 of Subpart B of Part 51 of 22 C. F. R.:

Sec.

51.151	Organization of Board.
51.152	Decisions of the Board.
51.153	Counsel to the Board.
51.154	Examiner.
51.155	Chairman.
51.156	Prior administrative remedies.
51.157	Petition.
51.158	Delivery of papers.
51.159	Notice of hearing.
51.160	Appearance.
51.161	Applicant's attorney.
51.162	Supplementary information to applicant.
51.163	Hearings.
51.164	Admissibility.
51.165	Argumentation.
51.166	Privacy of hearings.
51.167	Misbehavior before Board.
51.168	Transcript of hearings.
51.169	Notice of decision.
51.170	Probative value of evidence.

AUTHORITY: §§ 51.151 through 51.170 issued under sec. 1, 44 Stat. 887, 22 U. S. C. 211 (a).

§ 51.151 *Organization of Board.* The Secretary of State shall appoint a Board of Passport Appeals consisting of three or more members, one of whom shall be designated by the Secretary as Chairman. The Chairman shall assure that there is assigned to hear the appeal of any applicant a panel of not less than three members including himself or his designee as presiding officer, which number shall constitute a quorum.

§ 51.152 *Decisions of the Board.* Decisions shall be by majority vote. Voting may be either in open or closed session on any question except recommendations under § 51.140, which shall be in closed session. Decisions under § 51.140 shall be in writing and shall be signed by all participating members of the Board.

§ 51.153 *Counsel to the Board.* A Counsel, to be designated by the Secretary of State, shall be responsible to the Board for the scheduling and presentation of cases, aid in legal and procedural matters, information to the applicant as to his procedural rights before the Board, maintenance of records and such other duties as the Board or the Chairman, on its behalf, may determine.

§ 51.154 *Examiner.* The Board may, within its discretion, appoint an examiner in any case, who may, with respect to such case, be vested with any or all authority vested in the Board or its presiding officer, subject to review and final decision by the Board, but, an applicant shall not be denied an opportunity for a hearing before the Board unless he expressly waives it.

§ 51.155 *Chairman.* The Chairman, or his designee, shall preside at all hearings of the Board, and shall be empowered in all respects to regulate the course of the hearings and pass upon all issues relating thereto. The Chairman, or his designee, shall be empowered to administer oaths and affirmations.

§ 51.156 *Prior administrative remedies.* It is required that prior to petitioning for an appeal, an applicant shall (1) exhaust the administrative remedies available in the Passport Office, as set out in § 51.137, and (2) comply with the provisions of § 51.142, as a part of his application, if deemed necessary by the Passport Office.

§ 51.157 *Petition.* An applicant desiring to take an appeal shall, within thirty calendar days after receipt of the advice of adverse decision by the Passport Office file with the Board a written petition under oath or affirmation which shall, in plain and concise language, refute or explain the reasons stated by the Passport Office for its decision.

§ 51.158 *Delivery of papers.* Petitions or other papers for the attention of the Board may be delivered personally, by registered mail, or by leaving a copy at the offices of the Board at the address to be stated in the advice of adverse action furnished applicant by the Passport Office.

§ 51.159 *Notice of hearing.* Applicant shall receive not less than five calendar days' notice in writing of the scheduled date and place of hearing which shall be set for a time as soon as possible after receipt by the Board of applicant's petition.

§ 51.160 *Appearance.* Any party to any proceedings before the Board may appear in person, or by or with his attorney, who must possess the requisite qualifications, as hereinafter set forth, to practice before the Board.

§ 51.161 *Applicant's attorney.* (a) Attorneys at law in good standing who are admitted to practice before the Federal courts or before the courts of any State or Territory of the United States may practice before the Board.

(b) No officer or employee of the Department of State whose official duties have, in fact, included participation in the investigation, preparation, presentation, decision, or review of cases of the class within the competence of the Board of Passport Appeals shall, within two (2) years after the termination of such duties appear as attorney in behalf of an applicant in any case of such nature, nor shall any one appear as such attorney in a case of such class if in the course of prior government service he has dealt with any aspects of the applicant's activities relevant to a determination of that case.

§ 51.162 *Supplementary information to applicant.* The purpose of the hearing is to permit applicant to present all information relevant and material to the decision in his case. Applicant may, at the time of filing his petition, address a request in writing to the Board for such additional information or explanation as may be necessary to the preparation of his case. In conformity with the relevant laws and regulations, the Board shall pass promptly and finally upon all such requests and shall advise applicant of its decision. The Board shall take whatever action it deems necessary to insure the applicant of a full and fair consideration of his case.

§ 51.163 *Hearings.* The Passport file and any other pertinent Government files shall be considered as part of the evidence in each case without testimony or other formality as to admissibility. Such files may not be examined by the applicant, except the applicant may examine his application or any paper which he has submitted in connection with his application or appeal. The applicant may appear and testify in his own behalf, be represented by counsel subject to the provisions of § 51.161, present witnesses and offer other evidence in his own behalf. The applicant and all witnesses may be cross-examined by any member of the Board or its counsel. If any witness whom the applicant wishes to call is unable to appear personally, the Board may, in its discretion, accept an affidavit by him or order evidence to be taken by deposition. Such depositions may be taken before any person designated by the Board and such designee is hereby authorized to administer oaths or affirmations for the purpose of the depositions. The Board shall conduct the hearing proceedings in such manner as to protect from disclosure information affecting the national security or tending to disclose or compromise investigative sources or methods.

§ 51.164 *Admissibility.* The Board and the applicant may introduce such evidence as the Board deems proper. Formal rules of evidence shall not apply, but reasonable restrictions shall be imposed as to the relevancy, competency, and materiality of evidence presented to the Passport Office's stated reasons for its decision and/or to the application of § 51.135 or § 51.136 to applicant's case.

§ 51.165 *Argumentation.* All argumentation shall be directed to the application of the passport regulations to the facts of the particular case. The Board will permit no oral argument or motions relative to the legality or propriety of the hearing or other procedures of the Board. Submission of such argument or motions will be confined to the filing of written briefs, objections, or motions to be made a part of the record. The Board will not undertake to consider any such motion or contention.

§ 51.166 *Privacy of hearings.* Hearings shall be private. There shall be present at the hearing only the members of the Board, Board's Counsel, official stenographers, Departmental employees concerned, the applicant, his counsel, and the witnesses. Witnesses shall be present at the hearing only while actually giving testimony.

§ 51.167 *Misbehavior before Board.* If, in the course of a hearing before the Board, an applicant or attorney is guilty of misbehavior, he may be excluded from further participation in the hearing. In addition, he may be excluded from participation in any other case before the Board.

§ 51.168 *Transcript of hearings.* A complete verbatim stenographic transcript shall be made of hearings by qualified reporters, and the transcript shall constitute a permanent part of the record. Upon request, the applicant and each witness shall have the right to inspect the transcript of his own testimony.

§ 51.169 *Notice of decision.* The Board shall communicate the action recommended under § 51.140 on all cases appealed to it, to the Secretary of State. The decision of the Secretary of State shall be notified in writing to the applicant. Such notice shall be given the applicant as promptly as possible after his hearing before the Board.

§ 51.170 *Probative value of evidence.* In determining whether there is a preponderance of evidence supporting the denial of a passport the Board shall consider the entire record, including the transcript of the hearing and such confidential information as it may have in its possession. The Board shall take into consideration the inability of the applicant to meet information of which he has not been advised, specifically or in detail, or to attack the credibility of confidential informants.

Adopted by the Board of Passport Appeals December 30, 1953.

/s/ THRUSTON B. MORTON,
Chairman, Board of Passport Appeals.
/s/ JOHN FOSTER DULLES,
Secretary of State.

Date: January 4, 1954.

KNIGHT EXHIBIT No. 3

SUPPLEMENT TO PASSPORT REGULATIONS

"TITLE 22—FOREIGN RELATIONS

"CHAPTER I—DEPARTMENT OF STATE

"PART 51—PASSPORTS

"SUBPART B—REGULATIONS OF THE SECRETARY OF STATE

(Regulations of August 28, 1952 as amended on January 10, 1956)

* * * * *

"51.136 *Limitations on issuance of passports to certain other persons.* In order to promote and safeguard the interests of the United States, passport facilities, except for direct and immediate return to the United States, will be refused to a person when it appears to the satisfaction of the Secretary of State that the person's activities abroad would: (1) violate the laws of the United States; (2) be prejudicial to the orderly conduct of foreign relations; or (3) otherwise be prejudicial to the interests of the United States.

* * * * *

"51.143 *Applicability of Sections 51.137–51.142.* Except for action taken by reason of non-citizenship of geographical limitations of general applicability necessitated by foreign policy considerations, the provisions of 51.137–51.142 shall apply in any case where the person affected takes issue with the action of the Secretary in granting, refusing, restricting, withdrawing, cancelling, revoking, extending, renewing or in any other fashion or degree affecting the ability of such person to receive or use a passport.

Miss KNIGHT. Finally, under this heading of basic laws and regulations, I might mention section 215 of the Immigration and Nationality Act of 1952. This provides, in general, that the travel control laws of World War I and World War II are applicable, not only during time of war, but also during any emergency proclaimed by the President. Briefly, travel control regulations require an American citizen departing from or entering the United States to be in possession of a valid passport. Incidentally, we are still in the state of emergency proclaimed by President Truman, as far as travel controls are concerned.

Mr. ARENS. Miss Knight, is this record clear at this point that the statute governing passports, namely, the law as distinct from the regulations, has no prescription of criteria or standards pursuant to which passports are issued or refused?

Mr. NICHOLAS. That is true.

Miss KNIGHT. That is true.

Mr. ARENS. May I invite your attention to still another item, from a standpoint of background as we launch these hearings into this important subject, namely, who gets a passport—to whom is a passport issued?

Miss KNIGHT. A passport may be granted only to a person who is a national of the United States. Section 212 of title 22 of the United States Code provides that—

no passport shall be granted or issued to or verified for any other persons than those owing allegiance, whether citizens or not, to the United States.

Mr. ARENS. It is clear, is it not, Miss Knight, that a passport is not issued to an alien, but only to a national of the United States, which would include a citizen plus another category; is that correct?

Miss KNIGHT. Yes.

Mr. ARENS. May I invite your attention to still another background question as we launch these hearings? How does a person obtain a passport?

Miss KNIGHT. The procedure for obtaining a passport is relatively simple. Section 213 of title 22 of the United States Code requires that an applicant for a passport submit a written application, under oath, which shall contain a true recital of each and every matter of fact which may be required by law or by any rules authorized by law to be stated as a prerequisite to the issuance of a passport.

Mr. ARENS. Would you pardon an interruption there, please, Miss Knight?

Has the practice on your passport applications in the past embraced a question pertaining to membership or past membership in the Communist Party by the applicant?

Miss KNIGHT. It has not until recently.

Mr. ARENS. Have new forms recently been developed with that question in it; is that correct?

Miss KNIGHT. Yes, sir.

Mr. ARENS. We will cover that in just a few minutes, but I wanted the record to be clear at this point on that issue.

Would you proceed on who does get a passport?

Miss KNIGHT. First, the applicant should obtain documentary evidence of his citizenship in the form of a birth or baptismal certificate. If such a document is not available, he may submit a notarized affidavit of an older close blood relative attesting to the date and place of the applicant's birth. A naturalized citizen must be prepared to submit his naturalization certificate or the certificate of the relative through whom he claims citizenship. The second step is securing two duplicate passport photographs. The third step is actually the filling out of the passport application. If the applicant has not received a passport previously, he must be accompanied by an identifying witness when making application for the passport. The witness must have known the applicant for a period of at least 2 years and be able to verify to the best of his knowledge the truthfulness of the statements made in the application.

The Passport Office maintains six domestic field agencies located in New York, Boston, Chicago, New Orleans, San Francisco, and Washington, D. C. The applicant may apply at any one of these agencies or before a Federal or State clerk of court, authorized to accept passport applications. These are located in some 3,000 cities throughout

the United States. There is at least one such court located in every county seat in the country.

The official before whom the applicant appears will administer the necessary oaths and make a cursory examination of the application and supporting documents. The fee is collected and attached to the application which is forwarded to the Washington office. Upon receipt of the application in the Washington office the fee is removed and recorded, and the application goes through a processing procedure. This includes recording, stamping, carding, and checking the application against a master card index to ascertain if there is reason why the passport should not be issued promptly.

Mr. ARENS. Would you tell us the number of cards against which you have to check the passport applications?

Miss KNIGHT. At the present time, we have 18 million such cards.

Mr. ARENS. Will you give us just a brief description of the information which is indexed via those cards?

Miss KNIGHT. The information thereon indicates whether the person has any reported affiliation with the Communist movement, whether the person is under court restraint, if the person is considered indigent, if the person has a bad reputation or has given a bad reputation to the United States by his actions abroad—that sort of information.

Mr. ARENS. From where do you procure the information indexed on these many millions of cards?

Miss KNIGHT. From various official sources.

Mr. ARENS. Do you receive information from intelligence agencies?

Miss KNIGHT. Yes, sir.

Mr. ARENS. Do you receive information from the House Committee on Un-American Activities?

Miss KNIGHT. Yes, sir.

Mr. ARENS. And from other such sources of information; is that correct?

Miss KNIGHT. Yes, sir.

Mr. ARENS. Proceed, if you please.

Miss KNIGHT. Upon completion of the clearance, the application proceeds to the adjudicators who examine the document to determine whether citizenship has been satisfactorily established and whether the travel proposed is permissible under existing regulations.

Approved applications are then routed to processing units where the passport is written on machines specially designed for this work. The photograph is attached and impressed with the seal of the Department of State. The passport is then mailed back to the applicant. And this, in effect, completes the cycle.

Mr. ARENS. May I ask you whether or not the application is sworn to by the applicant?

Miss KNIGHT. Yes, sir.

Mr. ARENS. Have you ever known in the history of your experience in the Passport Office of the Department of State an incident in which a person has actually been prosecuted by the Department of Justice for a false affidavit on his passport application?

Miss KNIGHT. May I refer that question to Mr. Nicholas, please?

Mr. NICHOLAS. There have been numerous prosecutions under the old section 220 of title 22 of the United States Code for making false statements in passport applications. A number of the leading Com-

munists of the country have gone to prison for such violations in the prewar period.

Mr. ARENS. That would not be incidents in which the applicant made a false statement with reference to the country of his destination?

Mr. NICHOLAS. They were, as a rule, where the false statement is regarding the identity of the person. It was a question where a person gave a false name, false information concerning himself, rather than a false destination.

Mr. ARENS. To your knowledge, Mr. Nicholas have there ever been any prosecutions on cases where a person would make a false representation under oath respecting the country which he intended to visit?

Mr. NICHOLAS. Where that was the only false representation?

Mr. ARENS. Yes, sir.

Mr. NICHOLAS. No.

Mr. ARENS. May I invite your attention, please, Miss Knight and Mr. Nicholas, to still another basic question as background for these hearings. What are the categories of passports being issued at the present time?

Miss KNIGHT. At the present time, we have four categories: regular, diplomatic, service, and special. The regular and service passports are documents issued for tourist business and pleasure travel, the only difference being that the regular passports are issued by the Passport Office and its domestic field agencies in the United States and the service passports are issued overseas by Foreign Service officers. Special passports are issued only by the Secretary of State and, generally speaking, to persons proceeding abroad for the Government on official business which is not of a diplomatic nature.

The issuance of diplomatic passports is limited to Foreign Service Officers, to persons in the diplomatic service, and to persons enjoying diplomatic status by reason of the office they hold or the nature of their foreign missions. Diplomatic passports are also issued as a matter of courtesy to former Presidents, their wives, widows, unmarried daughters, to former Vice Presidents and their wives, and to former Secretaries of State and their wives. The diplomatic passport serves both as a travel document and as a certification of the official identity of the bearer. It is designed to give evidence that the bearer is entitled to the enjoyment of special privileges and immunities accruing to him because of his official positions.

Mr. ARENS. Does the statute provide penalties for fraudulent use of the passport?

Miss KNIGHT. Yes, sir.

Mr. NICHOLAS. Yes, sir.

Mr. ARENS. Could you give us, Mr. Nicholas, just a word summary of that?

Mr. NICHOLAS. There are several criminal sections. One covers the making of false statements in an application for a passport and also covers the use of a passport obtained upon the basis of such false application.

There is also a section of law relating to the use of an altered passport, or the alteration of a passport; a section relating to the counterfeiting of a passport and use of a counterfeit passport. There is a section relating to the use of a passport in violation of restrictions contained therein.

Mr. ARENS. May we proceed, if you please, Miss Knight and Mr. Nicholas, to a summary of statistics of passport issuances and refusals?

Miss KNIGHT. May I go back to calendar year 1954 and give you the statistics as we have them in our records and then include 1955?

Mr. ARENS. Yes.

Miss KNIGHT. During the calendar year 1954, a total of 452,049 passports were issued or renewed. During that 12-month period, 50 persons were refused passports for security reasons. Approximately 200 others were refused passports because they were either mentally ill, indigent, fugitives from justice, or attempting to abandon their families without means of support, or were in some manner incompetent, and did not have the consent of parent or guardian to travel.

The CHAIRMAN. Where did you get the information concerning that category of 200?

Miss KNIGHT. That may have come to us from courts, or from the legal representatives, let us say, of an abandoned wife or family. Such information is sent to the Passport Office and investigated.

Approximately 300 persons were refused passports in 1954 on citizenship grounds.

Thus the overall percentage of refusals in that year amounted to one-tenth of 1 percent of the total number of passports issued.

Five hundred and twenty-five thousand, two hundred and fifty-nine passports were issued or renewed between January 1, 1955, and December 31, 1955. During the same period, 456 applications were denied.

The following is a statistical breakdown for each category involved: 350 were denied on citizenship grounds, that is to say, insufficient evidence of citizenship or citizenship had been lost or would be lost if the applicant continued his residence abroad. Thirteen were denied under the regulations applying to supporters of the Communist movement. Thirteen were determined to be mentally ill and unable to travel alone. Twenty-five persons were likely to become public charges, that is to say, indigents or persons repatriated to the United States at Government expense. Five were habitual criminals. Six had participated in political activities in foreign countries in ways which were harmful to good relations between the United States and the countries concerned.

Mr. ARENS. If I am not disturbing your trend of thought, could you give us a typical discussion or typical case that would fit that category?

Miss KNIGHT. Perhaps Mr. Nicholas could give us that.

Mr. NICHOLAS. As a hypothetical case we will take someone who was in a colony of Africa, like Kenya where they had disturbed political conditions, and would take part in one side or the other in the almost revolution down there, and things of that nature.

Mr. ARENS. May I inquire, would this be a typical case, namely, a person who cannot be identified on the basis of available information as a member of the Communist conspiracy, but who sought to attend a conference abroad for the purpose of criticizing the United States and giving propaganda effect against the foreign policy of this Government? Would that person in that situation fall within the purview of this category?

Mr. NICHOLAS. I don't think that person was included in the six.

The CHAIRMAN. Now, out of the 25 indigents who were refused passports, did any protest against your finding?

Mr. NICHOLAS. Not seriously, I do not think.

The CHAIRMAN. Did any of the 13 people who were mentally ill protest against your refusal to grant them a passport?

Mr. NICHOLAS. Some of them come in constantly and are a source of annoyance, but there is no protest from any organization or anything like that in their behalf.

The CHAIRMAN. What about the five criminals?

Mr. NICHOLAS. No.

The CHAIRMAN. In other words, the principal criticism comes from the 13 Communists out of the 525,259 persons who obtained passports; is that true?

Mr. NICHOLAS. That is right.

Mr. ARENS. Do your regulations, Mr. Nicholas, embrace in any of their categories people who are not Communists or at least whom you have no adverse information showing that they are members of the Communist Party but who, nevertheless, are participants in an international conference or in an activity of a propaganda nature against the interest of this country?

Mr. NICHOLAS. They are broad enough to include them according to our interpretation.

Mr. ARENS. Do you decline passports on a case comparable to the one we have just been using in a hypothetical case?

Mr. NICHOLAS. Yes.

Mr. ARENS. What category would they come within? Could you tell us?

Mr. NICHOLAS. I think, if there are any coming up now, they would come within the political activities category; but I don't believe that there were any in that particular six mentioned.

Mr. ARENS. Would you kindly proceed, then, with the enumeration of your categories?

Mr. KEARNEY. Mr. Chairman, there is just one thing I did not catch. You said 350. What were they?

Mr. NICHOLAS. Citizenship cases. They couldn't establish that they are citizens, or else naturalized citizens who almost finished 3 years in their native country. If they go back, they would lose their citizenship.

Miss KNIGHT. Fifteen persons whose previous conduct abroad would be such to bring discredit upon the United States and cause difficulties for other Americans.

Mr. ARENS. Give us an illustration of this, please.

Miss KNIGHT. Persons who left unpaid bills or passed bad checks or had difficulties with the police or got into some public row of one kind or another.

Three were persons whose applications were fraudulent, 9 were fugitives from justice, and 17 were persons under court restraining orders.

Thus the overall percentage of refusals in 1955 is approximately one-half of 1 percent of the total number of passports issued.

Mr. ARENS. May I ask you another basic question, that is, if you would kindly outline in summary form for the committee the procedures for handling a refusal of a passport?

Miss KNIGHT. The initial recommendation to refuse a passport may be made at the desk of an adjudicator in the passport office who is examining the application in the file of the applicant. It may be made by the reviewing adjudicator or by the chief of the domestic adjudication division. The decision to deny a passport is made by the director or the deputy director upon reviewing the recommendation of the adjudicator and the division chief, and in subversive cases upon the review of the recommendation made by the Passport Legal Division, of which Mr. Nicholas is the Chief.

Mr. ARENS. Could you give us an indication of the number of cases in the subversive category that are not subject to refusal because of known membership in the Communist Party?

Mr. NICHOLAS. Do you mean the number of cases that we consider?

Mr. ARENS. Yes, sir.

Mr. NICHOLAS. That varies with the season, of course. During the spring season more applications are coming in. We get a larger volume. I suppose at the present time we are getting in for review probably over 25, 30, 40 cases a day.

Not all of those by any means are ones which we want to refuse. We have refusals put in our files, under more or less common names, for instance, and we pull the file relating to the adverse information with the new application. Often it turns out that the applicant is not the person referred to in the report.

Mr. ARENS. Could you give us an indication of the volume, a general estimate as to the number of cases in any year, the last few years, which would be in what we call subversive category but against whom you could not establish actual membership in the Communist Party?

Mr. NICHOLAS. Do you mean where the reports did relate to the person?

Mr. ARENS. That is right; yes, sir.

Mr. NICHOLAS. It would be just a guess, and the guess would be probably a couple thousand a year.

Mr. ARENS. We want to be sure this record specifically reflects the facts. Are these couple thousand cases that you submit now cases which are refused because adverse security information is available on the individual even though you cannot establish Communist Party membership?

Mr. NICHOLAS. No, no.

Mr. ARENS. Let's be sure we accurately circumscribe what we are talking about.

Mr. NICHOLAS. The 2,000 to which I was referring would be cases in which we had certain adverse information.

Mr. ARENS. Adverse security information?

Mr. NICHOLAS. Security information, but which did not justify a refusal of passport. For instance, we have much information, and we have accumulated it since 1906. There are many people who were connected with the Communist movement in one form or another who have entirely changed and who are now very much on the opposite side. And we have evidence to that effect. We do not refuse those people passports.

Mr. ARENS. On how many cases, in the course of say the last year, have you refused passports due to security grounds, in which you could not establish Communist Party membership?

Mr. NICHOLAS. Of the 13 we denied during the past year, it was never really possible to establish up-to-the-minute Communist Party membership. You have a report that a person was a member in a certain year and maybe at several different times. You can't say that anyone is a member as of the present moment.

Mr. ARENS. The 13 statistic you gave us encompasses those you denied on security grounds in toto; is that correct?

Mr. NICHOLAS. That is correct.

Mr. ARENS. But of the 13 there are some on whom the denial was not based upon an affirmative showing as of the incident of denial of Communist Party membership. Is that correct?

Mr. NICHOLAS. Yes. Some are in there.

Mr. ARENS. May we invite your attention to still another basic element in this background information, namely, with whom does the final authority rest for the handling of a refusal to issue a passport?

Miss KNIGHT. The Secretary of State or the Acting Secretary of State.

Mr. ARENS. Can you give us an indication of the forecast for passports issued and renewed for calendar year 1956?

Miss KNIGHT. For the first 4 months of 1956, we issued 210,478 passports and renewed 32,969. At that rate we anticipate approximately 600,000 passports will be issued or renewed by the end of the calendar year.

Mr. ARENS. And how does this compare on the basis of prior years? Is this an increase, or a decrease?

Miss KNIGHT. This is an increase of approximately 15 percent over last year.

Mr. ARENS. Now so this record may be clear, Miss Knight and Mr. Nicholas, the 600,000 passports which you anticipate will be issued or old passports renewed during calendar year 1956 are travel documents to citizens or nationals, isn't that correct?

Miss KNIGHT. Yes, sir.

Mr. ARENS. In addition to that, under the immigration laws there will be issued very substantial numbers of reentry permits which go to aliens, is that correct?

Miss KNIGHT. Yes, that is correct.

Mr. ARENS. I understood you to say a little while ago that the Passport Office in the recent past issued a new application form containing questions regarding membership in the Communist Party. Can you give the committee information on these questions? And perhaps, if you have with you a sample, we would like to have it.

Miss KNIGHT. I have a copy of the new application form with me. It has been put into use and it contains the following questions:

Are you now a member of the Communist Party? (Answer "Yes" or "No.")

Have you ever been a member of the Communist Party? (Answer "Yes" or "No.")

If ever a member, state period of membership.

These questions were added to the application in accordance with the recommendations of a committee of the 82d Congress.

I have a copy of the application here, which I shall be very glad to leave for you.

Mr. ARENS. We appreciate having it.

And I would like the chairman, please, to mark that as "Knight Exhibit No. 1" and incorporate it by reference in this record.

The CHAIRMAN. It will be incorporated.

Mr. WILLIS. When was this application form put into effect?

Miss KNIGHT. The new application blank was initially issued about the first of this month. We have distributed it to all of our domestic field agencies but not to all the 3,000 courts because in some cases we haven't received word from the clerk of the court as to how many application blanks he needs.

Mr. ARENS. Did I understand you to say that was pursuant to a recommendation of a committee of Congress in the 82d Congress?

Miss KNIGHT. Yes, sir.

Mr. ARENS. That the recommendation came pursuant to the hearings which we held back in 1951 and 1952?

Miss KNIGHT. No, sir. I have the reference here.

Mr. ARENS. Yes. Those are the hearings we held back in 1951-52 on the unauthorized travel of subversives behind the Iron Curtain on United States passports.

Miss KNIGHT. Oh, yes. I misunderstood you.

Mr. WILLIS. You say "we." To what committee are you referring?

Mr. ARENS. The Internal Security Committee on the Senate side. I happened to have been involved in those hearings. That is the reason I recall them.

What is the position of the Passport Office of the Department of State with reference to an applicant who refuses to fill out that part of a questionnaire with reference to present membership or past membership in the Communist Party?

Miss KNIGHT. Our position would be that the application would be incomplete. We would contact the applicant and inform him that he should not make further travel plans until the processing of the application is completed and that that could involve considerable time.

The CHAIRMAN. Is that the procedure followed in every instance where there is not a completed application?

Miss KNIGHT. That is correct, sir.

Mr. ARENS. Mr. Chairman, I respectfully suggest that would complete the staff interrogation of the witnesses. I wanted to establish basic facts which the committee could reflect upon when they hear the other witnesses.

The CHAIRMAN. Any questions?

Mr. MOULDER. No questions.

The CHAIRMAN. No questions.

You are excused.

Miss KNIGHT. Thank you, sir.

The CHAIRMAN. Thank you, Miss Knight.

Call your next witness.

Mr. ARENS. William Wallace, please.

Please remain standing, Mr. Wallace, while the chairman administers the oath to you.

The CHAIRMAN. Raise your right hand, please.

Do you swear that the testimony that you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WALLACE. I do.

The CHAIRMAN. Will you sit down, please.

TESTIMONY OF WILLIAM ALOYSIUS WALLACE

Mr. ARENS. Please identify yourself by name, residence and occupation.

Mr. WALLACE. William Wallace, Mount Vernon, N. Y., at the present time, unemployed.

Mr. ARENS. And your last employment?

Mr. WALLACE. My last employment was as secretary of UE District 4 in the New York-New Jersey area. That ended in November 1955.

Mr. ARENS. Why did it end?

Mr. WALLACE. At that time I testified—I started working with the Bureau of the Justice Department, and I then later testified before the SACB.

Mr. ARENS. The Subversive Activities Control Board?

Mr. WALLACE. Yes, I did.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. WALLACE. No, I am not.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. WALLACE. Yes, I have.

Mr. ARENS. Tell us, if you please, the period of your membership in the Communist Party. First of all, when did you join the Communist Party?

Mr. WALLACE. 1949.

Mr. ARENS. And when did your relationship with the Communist Party terminate?

Mr. WALLACE. At the termination of my employment, November 1955.

Mr. ARENS. During the period of your membership in the Communist Party, when you first joined it, began your work in the Communist Party, were you in sympathy with the Communist Party and were you a true Communist?

Mr. WALLACE. Yes, I was.

Mr. ARENS. Tell us, if you please, first of all, where you joined the Communist Party and under what circumstances.

Mr. WALLACE. I joined the party in Elizabeth, N. J. At that time I was in the Singer Sewing Machine plant, and a member of the UE local union in that town. I was approached by a Progressive Party member to join the Communist Party, that Progressive Party member being Clara Dolgow.

Mr. ARENS. Could you kindly spell that name so this record is clear on it?

Mr. WALLACE. Clara, last name Dolgow D-o-l-g-o-w.

Mr. ARENS. Proceed.

Mr. WALLACE. She told me I would be approached by the county organizer, Bob Ingersoll. That was about March 1949. He did approach me and told me that I would have to go get indoctrination as to the fundamentals of the party for a period of about 2 or 3 weeks. I did for those 2 or 3 weeks. And then he took me to the Singer Club, which was a branch of the Union County club in that area, and I became a member of that club and stayed in that club from 1949 to 1951.

The CHAIRMAN. Did that area include all of New Jersey?

Mr. WALLACE. No, sir.

The CHAIRMAN. That district?

Mr. WALLACE. No, sir. The district of the union did.

The CHAIRMAN. Yes. That is what I mean.

Mr. WALLACE. It includes all of New Jersey and the metropolitan area of New York up to Westchester County.

Mr. ARENS. Would you continue, to trace your career in the Communist Party?

Mr. WALLACE. From 1949 to 1951, May of 1951, I stayed in the Singer Club. In 1950 I was elected the secretary of UE District 4. Because of this change in my status, I was then placed in the UE District 4 Club of the Communist Party, and I stayed in that club until, oh, 1955, but in 1952 I was disciplined by the club.

Mr. ARENS. Why?

Mr. WALLACE. I was an undisciplined character, so they said.

The CHAIRMAN. Tell me: Did the District 4 Club include the Ingersoll plant?

Mr. WALLACE. Yes, sir. I remember it very well. The Ingersoll plant in Phillipsburg was part of UE District 4.

The CHAIRMAN. My friend?

Mr. WALLACE. Yes, sir.

At the time of my discipline, I was dropped—not dropped, I wasn't allowed to attend my party club meetings as a disciplinary measure. I then was told when I straightened up I would be allowed to attend my club meetings. But being an important person in the union, one of the top officers of the union, I was told that my orders from the party would come from Archer Cole, Bill Smith, Teddy Smorodin, and Sylvia Cohen, that I would be under the same discipline as if I was attending meetings, I would have the right to discuss, I would have the right to go into any thinking that I had on party policy, and it would be related back to the club.

In 1952, though, my whole thinking of the Communist Party changed. Ideologically I changed. And at that time I thought about getting out of the Communist Party, although recognizing that the job was an important thing economically.

The Bureau approached me in 1952, and I started working with the Bureau of the FBI as an undercover agent in the Communist Party and in the union under a different name, the name of Paul Brock. I told them that I wanted to get out. They told me that it would be better if I stayed and worked with them and helped the Government correct some of the wrongs that were happening as far as Communist ideology on working people and on the Negro people. I decided, well the best I can do to live with myself, to become the man I used to be, was to work with the FBI, and I did under the name of Paul Brock, and that was in 1952.

Mr. ARENS. May I revert, if you please, to the chronology of your activities in the Communist Party? While you were secretary of District 4, were you also a member of the international executive board of the United Electrical, Radio, and Machine Workers of America?

Mr. WALLACE. Yes, I was a member of the general executive board.

Mr. ARENS. In the course of your experience in the Communist Party did you have any occasion to do any work for the Communist Party on the waterfront?

Mr. WALLACE. Yes, I did.

Mr. ARENS. Can you tell us in résumé form what your activities were, what your instructions were and whom you knew as Communists at the waterfront?

Mr. WALLACE. Well, James McLeish was the president of UE District 4. The assignment of my work within UE District 4 and the assignment of my party work was one and the same—they dovetailed—so that I would have discussions as far as my party work was concerned in my party club. Then I would come back into my UE District 4 offices meetings, or staff meetings and discuss the very same thing that I had discussed at my Communist Party club, and then either I would get my assignment from that or someone else would get their assignment from that discussion. So I was involved as a political coordinator of the UE District 4 district.

My job was to attach myself to all Communist-front organizations as a leadership—either in leadership field or as a representative of UE District 4 in, for instance, the Committee to Repeal the Walter-McCarran Act, the Committee to Repeal the Smith Act, the Negro Labor Council, the American Peace Crusade. This was my job, to be like a public-relations fellow.

Mr. ARENS. Did you help prepare any of the pamphlets attacking the Walter-McCarran Act?

Mr. WALLACE. Yes, I did.

Mr. ARENS. Tell us briefly what you did on that.

Mr. WALLACE. Well, when the Walter-McCarran Act came out, just before it was passed, I met with members of the Civil Rights Congress, members of the Communist Party, to discuss with them how do we take steps to fight the Walter-McCarran Act. The Congressman will recall that we bombarded his office with delegations at home and down here in Washington.

The CHAIRMAN. As a matter of fact, I looked under the bed every night to see if anything physically was there.

Mr. WALLACE. My job was to coordinate and get these delegations moving, get material printed, using influential names, saying they were against Walter-McCarran Act, to be part of mass meetings, and like that, doing everything in our power to repeal that act and to not get it passed.

Mr. ARENS. In passing, and this is a little detour from the main theme of these hearings, did the Communist Party tend to create a front in front of themselves in order to appeal, destroy, or emasculate the Walter-McCarran Act?

Mr. WALLACE. Yes.

Mr. ARENS. Were you part and parcel of that act?

Mr. WALLACE. Yes, I was.

Mr. ARENS. We may get into that later. I think we better stay on the main theme of these hearings.

The CHAIRMAN. The fact of the matter is that under its provisions, that is of the basic immigration code, Communists can be deported, isn't that right?

Mr. WALLACE. Yes.

Mr. ARENS. Didn't you, in the course of your act to try to destroy the Walter-McCarran Act, work with the American Committee for Protection of Foreign Born?

Mr. WALLACE. Yes, I did.

Mr. ARENS. Did you work with Abner Green, executive secretary of that committee?

Mr. WALLACE. I received information from him as to what the committee was doing. Personally, I did not work with him.

Mr. ARENS. Would you revert to your activities on the waterfront before we delve into the passport problem?

Mr. WALLACE. Yes; I did. In 1954, the elections, the State elections in the State of New Jersey, as the political coordinator, at that time I was——

Mr. ARENS. For the Communist Party?

Mr. WALLACE. For the Communist Party, for UE. At that time I was used to influence. I recommended who should be elected, who should be support in our union for election to State office, senators and assemblymen.

I was approached by a Communist Party group in the Orange area. In fact, I met them at the UE Orange office at 42d Street, and they told me there was a deal being made with the ILA.

Mr. ARENS. Let's identify the ILA.

Mr. WALLACE. International Longshoremen's Union.

Mr. ARENS. Association.

Mr. WALLACE. Association.

There was a deal being made that we had to knock out the waterfront commission, and that, if our union went on record supporting those individuals in the State assembly and in the senate who were against the commission and were successful in getting them elected, that we could then be part and parcel and work with the ILA. We had party members working with the ILA during the fight between the ILA and the A. F. of L.

Mr. ARENS. What were the names of some of the Communist Party members who worked with the ILA and what did they do?

Mr. WALLACE. Artie Gilmore, he worked with the ILA. He was on the docks at Newark, at the Newark port, Port of Newark, working with them, swinging the vote so that it would go ILA. Whitey——

Mr. ARENS. Was that an NLRB election?

Mr. WALLACE. That was an NLRB election.

Mr. ARENS. This man you just identified as Artie——

Mr. WALLACE. Gilmore.

Mr. ARENS. Gilmore.

Do you of certain knowledge know him to be a member of the Communist Party?

Mr. WALLACE. Yes. And I attended Negro commission meetings of the party at his home.

Mr. ARENS. You know that he was working within ILA to undertake to win for ILA the National Labor Relations Board elections, is that correct?

Mr. WALLACE. Yes, I do.

Mr. ARENS. Give us another name and another activity.

Mr. WALLACE. At that time I was also meeting with a fellow by the name of Whitey Goodfriend and Larry Logan. We at that time started putting out material, material on how good the ILA was, how the A. F. of L. was raiding, how raids were of no value to the working people, that the support of the entire movement should go toward the ILA. This is the kind of material we put out in the community of—it used to be the third ward, now it is the C ward of Newark.

Mr. ARENS. Do you recall any other persons who were known by you to be members of the Communist Party, who participated in ILA work on behalf of ILA?

Mr. WALLACE. Not during the raid situation.

Mr. ARENS. May we invite your attention to the theme of these hearings? Have you ever traveled abroad?

Mr. WALLACE. Yes, I have.

Mr. ARENS. When did you travel abroad?

Mr. WALLACE. In 1951. That was besides my Army years. But in 1951 I traveled abroad.

Mr. ARENS. Tell us, in your own words, under whose auspices you traveled abroad, how you happened to go abroad, and where you went.

Mr. WALLACE. Well, as soon as I became secretary of the union, that was in November 1950, I stayed in the Singer shop and did my union work on a part-time basis, and in the shop the 8 hours a day that I was supposed to. That continued from November until March of 1951. At that time, I spoke to Jim McLeish and told him that this arrangement wasn't good, either I stayed in the shop or else I came out on full time on my union work. He recognized that there was some disadvantages to that and said, "You will come out full time on your union work, but I would like for you to meet a fellow by the name of Charlie Velson. There is a possibility that we can send you abroad to Europe on a 'look-see' tour of Europe. What would your family think about it?"

I said I would have to discuss it with my family first. I went home and I discussed the possibilities of it with my family and came back and told Jim McLeish that I could go.

He then made an appointment for me to see Charlie Velson in New York at 11 East 80th Street.

The CHAIRMAN. Velson?

Mr. WALLACE. Velson.

I went to 11 East 80th Street one evening. I met Charlie Velson and three other people there, a fellow by the name of Alex Sirota, a fellow from the business agent of the Furniture Workers Union, Local 180.

Mr. ARENS. Do you recall his name?

Mr. WALLACE. His first name is Bernie. I don't know his last name.

I told him that Jim had told me to come see him. He told me that there was a possibility of a delegation going to Europe, that I had been chosen for this delegation to go to Europe, and that I needed \$625 for my plane fair, that everything else would be taken care of, could I get him the money. I told him that I didn't think there was any problems about it, since Jim had recommended me, and to let me discuss it further with Jim and give him all the particulars and that I would let him know, we would meet again.

At that time I was still in the Singer Club of the party. I came back home and I discussed it with my party members, party club. They told me they had known about it, that I had been recommended, they were for it, that they would then give me the dope.

The officers of the club, by the way, were the officers of the union. For instance, the chairman of the club was a fellow by the name of Lou Schuman. He was the president of the UE, Local 401. He said

he would make an arrangement for me to get a leave of absence from the plant and so there would be no problem in me taking a trip.

The CHAIRMAN. Did you say that was 11 West 80th Street?

Mr. WALLACE. 11 East 80th Street. Right on the corner of Broadway and 11th Street.

The CHAIRMAN. What kind of a place was that?

Mr. WALLACE. It is on the fifth floor. It is an office building. It is an office building we used. Local 180, Furniture Workers Union, had about five rooms there. We used one of the rooms of their offices to hold our discussion. I didn't make arrangement at that point for my leave of absence, but then I met with Martha Stone, shortly after that.

Mr. ARENS. Will you identify Martha Stone for us, please?

Mr. WALLACE. Martha Stone was the secretary and she was in charge of the county organization of the Communist Party. She was a full-time functionary of the Communist Party.

Mr. ARENS. She was just recently convicted under the Smith Act; was she not?

Mr. WALLACE. Yes; she was.

Mr. ARENS. Proceed, if you please.

Mr. WALLACE. I met with Martha Stone and she called the meeting and we met at the Waldorf Restaurant on Park Place in Newark. At that time there was two FBI agents outside and she pointed them out to me. That was my first inkling of the FBI around.

Mr. ARENS. You were still ideologically identified with the Communist Party; you hadn't broken yet?

Mr. WALLACE. Nope. I was a good Communist.

She told me that she had heard about the possibilities of me going to Europe. In fact, she said that she was in favor of it and had recommended it. And then she went on to point out to me that as a Negro this was a wonderful opportunity, as a trade-union officer, that this was a wonderful opportunity, but that I also had to take certain steps of learning how to be disciplined, not asking the wrong questions, not saying anything that would bring shame on the union. She told me that this trip would take me into the Soviet Union. She pointed out to me that she had been in the Soviet Union and some of the things that I should look out for, such as the collective farms, such as the mines and the rest homes, that these are the things that I should pay particular attention to, and the possibility of seeing the Kremlin.

Mr. ARENS. Would you hesitate there just a moment? You say she told you the trip would take you into the Soviet Union?

Mr. WALLACE. Yes; she did.

Mr. ARENS. Prior to the time you made your application for the passport?

Mr. WALLACE. Yes.

Mr. ARENS. I lay before you now a photostatic copy of a document entitled "Department of State Passport Application," and ask you if that is the true and correct representation of your passport application which you signed?

Mr. WALLACE. Yes; it is.

Mr. ARENS. Is that your signature?

Mr. WALLACE. Yes; it is.

Mr. ARENS. And on this passport application, in which there is set forth the countries to be visited, you had England and France. That

was after the time you had been informed the trip would be to Russia. Is that correct?

Mr. WALLACE. Yes; except, though, I was told to put England and France.

Mr. ARENS That was part of your Communist Party discipline at that time, to which you subjected yourself in order to procure your United States passport. Is that correct?

Mr. WALLACE. Yes. In a future meeting with Charlie Velson, he told me the following things to do in order to get my passport.

Mr. ARENS. I respectfully suggest, Mr. Chairman, this document be identified "Wallace Exhibit No. 1," incorporated by reference in this record, and retained in the files of the committee.

The CHAIRMAN. Let it be so incorporated.

Mr. WALLACE. The meeting that took place after that first meeting took place within a week. At that time I took Charlie Velson over \$650—\$625 on one check and I also took him over another check in a sealed envelope.

Mr. MOULDER. Where did you get that money?

Mr. WALLACE. Those two checks were given to me by Jim McLeish and it came out of the union general fund, the UE general funds.

Mr. ARENS. What was the name of the committee that sponsored the trip to Europe, which we are going to be talking about here in a few moments?

Mr. WALLACE. The American Trade-Union Committee To Survey Europe.

Mr. ARENS. And was Charlie Velson the acting secretary?

Mr. WALLACE. Yes; he was.

Mr. ARENS. And were Leon Beverly, Thomas Grimm, John B. Masso, Dave Moore, and Leon Straus committee members?

Mr. WALLACE. Yes, they were.

Mr. ARENS. To your certain knowledge, was this American Committee to Survey Labor Conditions in Europe controlled, lock, stock, and barrel by the Communist Party?

Mr. WALLACE. Yes, it was.

Mr. ARENS. Tell us who all went on the trip. First of all, how many people made the trip?

Mr. WALLACE. Eighteen people made the trip with me.

The CHAIRMAN. The cost for this survey came out of the dues that the workers paid into a trade union?

Mr. WALLACE. Yes. They did. The \$625 was for me particularly. The other check I gave was for somebody else to go.

The CHAIRMAN. I suppose if we would multiply \$625 by 18 we would know just how much the poor workers had to pay for your survey.

Mr. ARENS. And how much was the second check?

Mr. WALLACE. I don't know, because it was in a sealed envelope.

Mr. ARENS. First of all, how many went on the trip?

Mr. WALLACE. There was 18 of us. There was myself. There was Frank Wedl from the painters union.

Mr. ARENS. W-e-d-l?

Mr. WALLACE. Myrtle Dennis. She was from Cleveland.

Mr. ARENS. Excuse me just a moment. As you enumerate the people who went on the trip, tell us who of these people were known to be members of the Communist Party.

You started with Frank Wedl.

Mr. WALLACE. Frank Wedl. He was a party member. There was Myrtle Dennis.

Mr. ARENS. Was that Laura Myrtle Dennis?

Mr. WALLACE. Yes.

There was Oran Jenkins. He was a party member. There was Alan Greenfield. He was a party member. There was Mr. Allen Johnson from California and Mrs. Francis Johnson. I don't know what they were.

Mr. ARENS. You don't know whether or not they were members of the Communist Party?

Mr. WALLACE. No.

There was Joe de Rosa. He was from Long Island. He wasn't a party member. There was Alex Wright from Pittsburgh. He was a party member. There was Bill Glenn. I don't know whether he was or wasn't. There was Clara Shavelson. She was a party member. There was Carrie Ellis. She wasn't. There was Alex Sirota. He was a party member. There was Esther Goldberg. She was a party member.

I believe that is it.

Mr. ARENS. Do you recall John Francis Halloran?

Mr. WALLACE. Yes. Jack Halloran from ILA.

Mr. ARENS. Was he a Communist?

Mr. WALLACE. He was a party member.

Mr. ARENS. Do you recall Joseph de Rosa?

Mr. WALLACE. Yes; he was from UE. He wasn't.

Mr. ARENS. Of course you went and you were a Communist.

Mr. WALLACE. Yes. I was.

Mr. ARENS. How about Moses Wechsler?

Mr. WALLACE. Yes, from Mine Mill. He was, and he was a Communist Party member.

Mr. ARENS. Carrie Mae Ellis?

Mr. WALLACE. She went. She was not a party member.

Mr. ARENS. Was not?

Mr. WALLACE. Was not.

Mr. ARENS. Philip Westley LeFavour?

Mr. WALLACE. He was from Boston. He went. I don't know what he was.

Mr. ARENS. Anselmo de Francis?

Mr. WALLACE. Anselmo de Francis, from maritime. He went, and he was a party member.

Mr. ARENS. Tell us who was chairman and the leader of the group that went.

Mr. WALLACE. I want to point out to you that on our second meeting in New York, I met with this committee and at that meeting was Clara Shavelson, Esther Goldberg, Alex Sirota, and Frank Wedl, and we got together at that meeting and elected a chairman and cochairman. The chairman was Esther Goldberg. The cochairman was Alex Sirota. It was at that meeting that they told me that Velson told us how to get our passports.

Mr. ARENS. Tell us how he told you to get your passports.

Mr. WALLACE. The application for our passports was not to be mailed until 10 or 12 days before the trip. The trip was scheduled for April 20. The reason for this was that they wouldn't have too

long a time to investigate us. If we gave them too much time they would investigate and find out too much about us and knock our passports down. Also we were supposed to say that we were going to France or England, and we are going for either health, pleasure, or business reasons.

And then, after we made the applications for our passports, we were supposed to within 4 or 5 days immediately put pressure on the State Department by sending letters, telegrams, and calling up. In fact, I called Mrs. Shipley in Washington, once. I sent her a telegram for my passport, and I didn't have no hitches on it. Within a 9- or 10-day period my passport came through.

And also at the same time he told us that we were not to recognize one another while we were in the United States, and we would not recognize one another until we got to Nevilly Field in France.

Mr. MOULDER. Did you all travel on the same boat or plane?

Mr. WALLACE. We went by plane. Air France.

Mr. WILLIS. All on the same plane?

Mr. WALLACE. Yes, sir.

Mr. MOULDER. How many Negroes were in this bunch of 18, just you?

Mr. WALLACE. No, sir; five.

Mr. ARENS. Now, sir, tell us what the custody of the credentials were while you were en route on the trip. You procured your passport. Who kept it for you?

Mr. WALLACE. Well, I got my passport here. I boarded the plane and I went to France. In France, I gave up my passport to customs just to go through customs. I guess they kept it for about a half hour, an hour. Once I cleared customs I had it. But then when I got to France I stayed there I think 2 days, then I picked up a visa, a piece of paper like this with — and in this block was a visa for Czechoslovakia, the next block was a visa for Poland, and the next block was a visa for Russia, and the bottom of the block was my picture and a stamp.

The CHAIRMAN. Did you apply for that "piece of paper"?

Mr. WALLACE. No, sir; I did not.

The CHAIRMAN. It was furnished to you without any application on your part?

Mr. WALLACE. No. What happened was when we got to France we knew we were going to the Soviet Union, but we had to make a decision on whether we were going or not, so we got together and we voted, that we would go to the Soviet Union, the 18 of us voted. Esther Goldberg and Alex Sirota got our pictures and then they went down to the Soviet Embassy, and they got these visas, got these three visas for us to travel further on.

Once we got the visas, the requirement was that we had to be in the Soviet Union by May Day, that we would stall around the other countries a day or so, but all guaranties that we had to be there by May Day; so when I went into Czechoslovakia, I had the visa. They promised that nothing would be stamped in the passport, in order that we wouldn't be liable to arrest or we wouldn't be liable to jail, when we got into the United States. So they picked up the visa in Czechoslovakia and they picked up the passport at the same time; they stamped the visa, but they did not stamp anything in the pass-

port. Yet they kept our passport to go through customs. That happened also in Prague and Warsaw, where they picked up our passports, picked up the visa.

The only place they really kept my passport for any length of time was in Moscow. During my stay in the Soviet Union they kept my passport for about a week.

Mr. ARENS. May we revert back to Paris, when you arrived by plane. What did you do while you were in Paris? With what groups were you in contact?

Mr. WALLACE. As soon as we got to France, CGT (French General Confederation of Labor) met us at the airport.

Mr. ARENS. That is the French Trade Union?

Mr. WALLACE. The French left trade union.

Mr. ARENS. It is Communist controlled?

Mr. WALLACE. Yes.

Mr. ARENS. They met you at the airport?

Mr. WALLACE. They met us at the airport.

Mr. ARENS. Tell us what transpired.

Mr. WALLACE. They met us at the airport and they took us to the London Hotel in Paris. For the 2 days we were there we went on sightseeing trips. We didn't see any factories or nothing like that. They took us to the slum areas of Paris to show us the conditions in which the people were living. You see, the purpose of our trip was to see conditions.

Mr. ARENS. Who paid your expenses in Paris?

Mr. WALLACE. The CGT paid all expenses in Paris.

Mr. ARENS. Were any members of the CGT who escorted you around Paris identified to you as members of the Communist Party?

Mr. WALLACE. Yes; they were. One of the women that were there was identified as a party member.

Mr. ARENS. Is there any other significant occurrence that transpired while you were in Paris?

Mr. WALLACE. No; except I just had a chance to see Paris. You know, some parts of it.

Mr. ARENS. Let us proceed with your next place of arrival. Where did you go from Paris?

Mr. WALLACE. From Paris I went to Prague.

Mr. ARENS. Tell us what happened at Prague, Czechoslovakia?

Mr. WALLACE. At Prague, I stayed there overnight. I came in like 4 o'clock this afternoon, and I stayed until the next day.

Mr. ARENS. Who paid your expenses from Paris to Prague?

Mr. WALLACE. From Paris to Prague was paid by CGT.

Mr. ARENS. That is the Communist-controlled labor organization in France?

Mr. WALLACE. That is right. We went by plane.

Mr. ARENS. Did the Communist-controlled labor organization, which paid your expenses from Paris to Prague, give you any expense money, any pocket money?

Mr. WALLACE. No; at that time it did not.

Mr. ARENS. Did you need any?

Mr. WALLACE. No; I didn't need any.

Mr. ARENS. They paid all expenses?

Mr. WALLACE. All expenses.

Mr. ARENS. Prior to the time you arrived in France, did you have any idea that the Communist-controlled organizations in France would be your escorts?

Mr. WALLACE. Yes; I knew that before I left here.

Mr. ARENS. Before you left the States?

Mr. WALLACE. Yes, sir.

Mr. ARENS. You knew that at the time you made your application for the passport?

Mr. WALLACE. Yes; I did.

Mr. ARENS. Now, you are in Prague, Czechoslovakia. Tell us, please, what transpired there.

Mr. WALLACE. In Prague, I was immediately contacted—I stayed overnight, stayed at the National Hotel.

Mr. WILLIS. Did the others stay there, too?

Mr. WALLACE. Yes, everybody did.

I personally was contacted by a fellow by the name of George Wheeler, who was from the State Department here, used to work in the State Department. I went out to his home and met with him at his home, discussing things that were happening in America, things that were happening over in Czechoslovakia, and he was building it up to me there.

Mr. ARENS. Who is George Wheeler?

Mr. WALLACE. George Wheeler, I don't know too much about him, except he told me he used to work in the State Department here. He said he got a raw deal from the Government here; that he then went to Czechoslovakia; that he is doing O. K. in Czechoslovakia working with the Government.

Mr. ARENS. He is a former employee of the State Department who expatriated himself and went behind the Iron Curtain, is that correct?

Mr. WALLACE. Yes, sir.

Mr. ARENS. He met you in Prague, and had you in his home?

Mr. WALLACE. Yes, sir.

Mr. ARENS. Tell us the essence of your conversation.

Mr. WALLACE. Most of our conversation took place around Senator McCarthy. He started telling how rotten a guy Senator McCarthy was, and also discussing how the trade unions should band together to do an exposé on McCarthy and attacks on McCarthy.

Mr. ARENS. Did Wheeler at any time identify himself to you as a member of the Communist Party?

Mr. WALLACE. Yes, he did.

Mr. ARENS. What did he say on that score?

Mr. WALLACE. He knew I was a member of the Communist Party. How he knew, I didn't know. He knew I was a member of the Communist Party, and told me as a Communist what role I had to play as far as trade union was concerned, how I could elevate myself as a trade union leader by belonging to the Communist Party, that this was the best role in the class struggle.

Mr. ARENS. Was there anything else of significance that transpired while you were in Prague?

Mr. WALLACE. No.

Mr. ARENS. All right, sir. Tell us about your next stop.

Mr. WALLACE. The next two stops were just stopovers.

Mr. ARENS. Where?

Mr. WALLACE. Warsaw, in Poland, and Minsk, in Russia—just stopovers.

Mr. ARENS. Did you at any time after you left Paris have to use your American passport in order to get behind the Iron Curtain?

Mr. WALLACE. Yes; I did. My passport was picked up every time the visa was picked up.

Mr. ARENS. Who paid your expenses from Prague, Czechoslovakia, into Moscow?

Mr. WALLACE. The Soviet Union did.

Mr. ARENS. How do you know that?

Mr. WALLACE. I was told that by Esther Goldberg.

Mr. ARENS. And she was the Communist leader of this party, chairman of the group?

Mr. WALLACE. Yes.

Mr. ARENS. Was Moscow your next principal stop?

Mr. WALLACE. Yes; it was.

Mr. ARENS. Tell us what transpired when you got to Moscow.

Mr. WALLACE. I got into Moscow on the 29th of April about 5 o'clock in the evening, the 29th of April. We didn't do much as far as—I went to the National Hotel in Moscow. We didn't do much, except walking around the streets until May Day.

Mr. ARENS. Who met you at the airport?

Mr. WALLACE. The leader from the Central Trade Union and someone from the Soviet Government met us at the airport in Moscow.

Mr. ARENS. Tell us what transpired while you were in Moscow.

Mr. WALLACE. Didn't do much until May Day. The day before May Day, that evening, we were given passes to go to a special box in the Red Square for May Day. We had this special box. I think it was two booths or something like that from the dais where Stalin was, and we were known as the American delegation, representing the American trade union. So everybody knew us there.

Then after May Day we traveled around to the different factories, the different plants, the different rest homes, concert halls, opera houses in Moscow, and saw the town, but all this time we had special guides. We were allowed to take pictures, but they had to be turned in. We weren't allowed to travel anywhere by ourselves. If we strayed from the delegation someone would pick us up and move us back into the delegation. So we were on a sort of guided tour but we were—

Mr. WILLIS. Restricted?

Mr. WALLACE. Prisoners. Restricted ourselves so we couldn't stray away.

Mr. ARENS. While you were in Soviet Russia did members of your delegation, including yourself, make speeches?

Mr. WALLACE. Yes. I made a speech before the All Central Council of Trade Unions which was a body of stewards and officers of various shops in the Soviet Union.

Mr. ARENS. What was the essence of your speech?

Mr. WALLACE. My speech was attacking the Government, blaming the Government for the problems of—

Mr. ARENS. What Government?

Mr. WALLACE. United States Government. For the problems affecting Negro people, stating that the Government was discriminating, the Government was against labor. The essence of all the speeches was the same, attacking the Government.

Mr. ARENS. Who told you to say all that?

Mr. KEARNEY. I was just going to ask that.

Mr. WALLACE. In the discussion that we had in the party caucus meeting that we held in Moscow amongst our group of party members, we had decided that this would be the approach. What the Soviet people wanted to hear was the way we attacked our own Government; the way we spoke against some of the things our Government was doing.

Mr. KEARNEY. Was that speech written for you?

Mr. WALLACE. No.

Mr. KEARNEY. Did you write it yourself?

Mr. WALLACE. No; I did not.

Mr. KEARNEY. Did someone write it for you?

Mr. WALLACE. We didn't have to write speeches. Those of us who were eloquent as far as speaking was concerned would certainly only have to make notes and carry through from the notes.

Mr. ARENS. You spoke extemporaneously?

Mr. WALLACE. Yes.

Mr. ARENS. Were you paid for these speeches?

Mr. WALLACE. I never was paid for any speeches and I refused to be one of those that were paid.

Mr. ARENS. Were the others paid?

Mr. WALLACE. There were some who made speeches on the radio. Those people were paid 400 rubles for each speech they made on the radio.

Mr. ARENS. Those were members of the Communist Party in your delegation who made these speeches on the radio?

Mr. WALLACE. Yes.

The CHAIRMAN. We will stand in recess for 5 minutes.

(Brief recess.)

The CHAIRMAN. The committee will come to order.

Proceed.

Mr. ARENS. Did the entire group that went with you to Soviet Russia have to use their passports to get in behind the Iron Curtain, or were you the only one?

Mr. WALLACE. All of us did.

Mr. ARENS. While you were in Moscow and in the metropolitan area of Moscow, did you get into any difficulty because of your curiosity in trying to find out what was going on?

Mr. WALLACE. Yes. In traveling around, I don't know—I guess because of the freedom I have had, that I always enjoyed—I didn't want to be told where I should go, where I shouldn't go, and I didn't want to have somebody always looking after me. So I discussed with some of the delegation the possibility of going out in the evenings, going out on our own. They voiced some objections as to always being on a guided tour, too. So I demanded from Esther Goldberg, since I was in a top officer's position, the possibility of calling a party meeting of those of the party members in our delegation so we could discuss this matter.

She said she would first have to contact the Russian guides, and see if it was O. K. with them, if we could call such a meeting, since they might have something planned for us.

She cleared the meeting and we called the meeting and discussed this matter of why we always have to go where they wanted us to go, why couldn't we travel sometimes alone by ourselves, or go out individually.

Well, the collective decision was to accept what the Russians were doing, that we should go on this guided tour and not to bring this question up no more, that we had to go along with the customs of their country.

Right after that, the next day, I went to a class—they had classes over there—and I went to this class, and in this class the top Russian guide said to me, "I would like to speak to you, Comrade Wallace."

He took me into a little room and said: "Look, there are party members on your delegation and also there are nonparty members on your delegation. I know all about you, Wallace. You are doing O. K. in your country, and certainly you are a leader amongst the Negro people and amongst the trade-union people, and I certainly want to see you go up. But your undisciplined methods will drag you down, and you got to change that undisciplined method. You are supposed to be the one to help guide this delegation. From this point on I want you to find out who the non-Communist members are, what they are saying. Report it back to me. I always want to know what the Communist delegation members of your delegation are saying about this trip. Regardless of how unimportant you think it is, you report everything back to me, everything you see. Also from now on in you will be getting information from us, directly mailed to your home. I want you to use that information and give it to the workers in your country, seeing that they get the pitch, the information that is in these magazines."

I told him I would do so. From there on in I did get this material.

Mr. ARENS. You mean after you arrived back in the United States you received the propaganda from abroad?

Mr. WALLACE. I received a lot of the material. For instance, I received the book, *Thirty Years Under Communism*. I also received books about different things, the constitution, about the Russian people.

Mr. ARENS. All pro-Soviet literature.

Mr. WALLACE. I brought that back with me. And I got other stuff, and I got many—

Mr. ARENS. We will go into that phase after you complete your itinerary on your trip.

When you were in Russia did you go any place other than the general environs of Moscow?

Mr. WALLACE. Yes. I went to other parts of the country. In fact, I remember I went to a church. I went to a church called St. Nicholas in Leningrad. And as I walked into the church, an enormous place, bigger than this, I walked directly into what they call the sacristy. I walked directly into the sacristy and, as I walked into the sacristy, the priests in the back were smiling and like that, and then the guides came up, and when the guides came up these priests immediately left us and went about their business, left us alone.

But as I was in the church, I thought to myself about the stories I had heard back home about Russian people, the Russian Government, not having freedom of the church, and like that, and it made an impression on me. I looked around and I said, "Now, I can understand," because there were no seats in the church, no seats at all. And in the church was elderly people all between the ages of 40, 50, and 60. There were children around the ages of 8, 9, and 10. And what struck me important there was the fact that there was no youth, there was no youth at all, and there was no middle aged, no age of people between 25 and 30. I didn't see none of that. And I questioned it, and they told me that those people between the ages, the adolescence and the younger group people, didn't want to go to church.

Mr. ARENS. Did you make any inquiry while you were there as to slave labor camps?

Mr. WALLACE. Yes.

Mr. ARENS. What did you ask and what were you told?

Mr. WALLACE. I said to them that in America the papers speak of slave labor camps, will we be able to see them? What are they? They told me that the American papers were lying, the State Department was lying, that their slave labor camps were nothing more than, like our prisons, homes for hardened criminals. We never saw them.

Mr. ARENS. I lay before you now a photograph, marked "Wallace Exhibit No. 2," and ask you if you can identify that photograph.

Mr. WALLACE. Yes, I can.

Mr. ARENS. What is that photograph?

Mr. WALLACE. This is a photograph of the entire delegation and the Russian guides that was taken in the Black Sea area down in Sochi.

Mr. KEARNEY. Where?

Mr. WALLACE. Sochi, in Russia.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this photograph be incorporated by reference in the record, and retained in the files of the committee.

The CHAIRMAN. It may be incorporated in the record.

Mr. ARENS. While you were in Russia did you make any contact with an international peace group under the auspices of the Soviet Union?

Mr. WALLACE. Yes.

Mr. ARENS. Tell us about it, please.

Mr. WALLACE. While I was in Russia our timing was such that we met with people from Finland, England, France, Korea, China, and all the other countries. We met with these people, and they were wearing peace doves, or symbols of peace from their various countries that they had. And we were discussing the peace program in the United States, the peace program in their country. In this way we had discussions on how to implement the peace program of Russia back into the United States.

Mr. ARENS. Did you maintain contact with this international peace group and work in the interest of that Communist organization?

Mr. WALLACE. Yes, I did.

Mr. ARENS. Were your expenses back home likewise paid by the Soviet Government?

Mr. WALLACE. Yes. They told me that I was going home as a ward of the Soviet Union.

Mr. ARENS. When did you return?

Mr. WALLACE. I returned after the delegation sometime around May 16, 1951.

Mr. ARENS. You were a little late getting back because of illness; is that correct?

Mr. WALLACE. Yes, I took sick over there.

Mr. ARENS. After you returned to the United States did you make speeches respecting your tour?

Mr. WALLACE. Yes, I did.

Mr. ARENS. Before what groups did you make these speeches?

Mr. WALLACE. My first speech was made before Martha Stone and a group of Communist Party members to see what type of speech I made and how I made it.

Mr. ARENS. Did the Communist Party functionaries write your speech which you gave after you returned to the United States?

Mr. WALLACE. My speech was written in Russia.

Mr. ARENS. The speech that you were to deliver after you returned to the United States was written while you were in Russia?

Mr. WALLACE. Yes, it was.

Mr. ARENS. Who wrote it for you while you were in Russia?

Mr. WALLACE. While I was in Russia, Esther Goldberg called on us to draw up some of the things we had seen in Russia. We did. All of us submitted it. She took those notes of ours and she went to the Tass News Agency, the Tass newspaper over there, and she came back with a speech drawn up, which she said, in order for us all to be giving the same type of speeches, the same type of remarks, they wouldn't be disconcerted, this would be it, and she handed us a type-written speech.

Mr. ARENS. Tass is a Russian newspaper agency, isn't it?

Mr. WALLACE. Yes.

Mr. ARENS. I lay before you a document marked "Wallace Exhibit No. 3." Is that the original speech which was written for you while in Russia to be delivered in the United States after your return here?

Mr. WALLACE. Yes, it is.

Mr. ARENS. And did you so deliver this speech?

Mr. WALLACE. Yes, I did.

Mr. ARENS. Did you amplify this speech with other remarks which you made before various groups in this country?

Mr. WALLACE. Yes; except that was the basic, from that I took the basic thing.

Mr. ARENS. And without burdening this committee at this time with the recitation of this entire speech, does the speech put in a favorable light the Communist conspiracy and in an unfavorable light the republican way of life we have in this Nation?

Mr. WALLACE. Yes, it does.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this speech, "Wallace Exhibit No. 3," be incorporated by reference in the record and retained in the files of the committee.

The CHAIRMAN. That may be done.

Mr. ARENS. Can you tell us, specifically, where you went to make your speeches after your return?

Mr. WALLACE. Yes. Besides homes of party members and front groups, I spoke at Manhattan Center in New York City before a large trade-union delegation. I spoke on the floor of all of the trade-union locals in my area, and in some of the other unions I spoke, too. And I just went around the eastern, the Midwest on speaking tours before APC, before a lot of other groups.

Mr. ARENS. I lay before you a document marked "Wallace Exhibit No. 4," which is a photostatic copy of a passport. Can you identify that document?

Mr. WALLACE. Yes, it is mine.

Mr. ARENS. That is your passport that you used on this trip to Soviet Russia, is that correct?

Mr. WALLACE. Yes; it is.

Mr. ARENS. I invite your attention to the entries in this particular passport. Does it appear on page 7 of this passport that your passport is issued to you for travel to the British Isles and to France on personal business and in necessary countries en route?

Mr. WALLACE. Yes; it does.

Mr. ARENS. And that entry was made on the representation you made in your application that you intended at the time of the application to go only to the British Isles, to France, and necessary countries en route, is that correct?

Mr. WALLACE. That is true.

Mr. ARENS. At that time pursuant to Communist Party discipline and Communist Party orders you had the intention, along with the others who were in concert with you on this trip, to go to Soviet Russia; is that correct?

Mr. WALLACE. That is correct.

Mr. ARENS. Were there stamped in this passport en route any visa stamps of the Iron Curtain countries?

Mr. WALLACE. No; none.

The CHAIRMAN. Did you call at the American Embassy in Russia?

Mr. WALLACE. I was next door to it. I met some of the people from there. But I didn't call on them.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that "Wallace Exhibit No. 4" be incorporated by reference in this record and retained in the files of the committee.

The CHAIRMAN. That may be done.

Mr. ARENS. After you returned to the United States were you subsequently called before any committee of the Congress and interrogated with reference to this trip?

Mr. WALLACE. Yes; the Internal Security Committee.

Mr. ARENS. Do you recall who did the interrogating?

Mr. WALLACE. Yes; Mr. Arens.

Mr. ARENS. We weren't too friendly at that session, were we?

Mr. WALLACE. At each other's neck.

Mr. ARENS. What arrangements did you have with the Communist Party after you received your subpoena to appear, and before you did appear, with reference to what you would say?

Mr. WALLACE. Yes; I was told to pick up my subpoena by Morty Stavis. In fact, the marshal had come to the office to serve it on me. And the lawyer for the union told me to go down and pick it up.

Mr. WILLIS. What is the name of that lawyer?

Mr. WALLACE. Morton Stavis.

I did and then I met with my party club at that time to figure out what do I do now as far as the subpoena is concerned. We discussed the fact that on the mention of individuals' names before the committee I would use the fifth amendment, that in knowing anybody I would always use the fifth amendment, that Morton Stavis would be the lawyer and he would give me guidance as far as that was concerned.

Mr. ARENS. Did you have any prearranged signal system with your lawyer?

Mr. WALLACE. I met with Morty and he told me that he wasn't aware of what—how the hearings went in Washington, that he would then get me a Washington lawyer. I came down the day before the hearings and I met with the Washington lawyer, a fellow by the name of Joe Forer.

Mr. WILLIS. He has quite a bark.

Mr. KEARNEY. What was his name?

Mr. WALLACE. Joe Forer.

Mr. ARENS. Did you know Morton Stavis as a Communist?

Mr. WALLACE. No, I did not.

Mr. ARENS. Who directed you to Forer?

Mr. WALLACE. Morty Stavis directed me to Forer. When I came to Washington I came to Forer and discussed my whole case with Joe Forer, and he told me that in order to keep myself off the limb that we would arrange that if he touched me once on the knee—we were sitting like this—if he touched me once on the knee that I could go ahead and answer the question; if he touched me twice on the knee then that I should use the fifth amendment or call for consultation.

The CHAIRMAN. Mr. Arens, I direct you to notify the bar association of the District of Columbia of the conduct of this member of this bar.

Mr. ARENS. If the chairman would cause an excerpt of this testimony to be transmitted to the District bar—

The CHAIRMAN. That is right.

Mr. ARENS. After this particular hearing did you have an occasion to be in connection with the comrades of the Communist Party in Chicago?

Mr. WALLACE. Yes, I did.

Mr. ARENS. Tell us what transpired there?

Mr. WALLACE. After that hearing was over, I got a letter from Charlie Velson that there was to be a meeting in May of 1952 in Chicago at the Midland Hotel, this conference was to take place around the denial of passports, and would I attend. I cleared it with my immediate superior, Jim McLeish, and I went to Chicago.

Mr. ARENS. Tell us what transpired at Chicago.

Mr. WALLACE. Well, at Chicago we met at the Midland Hotel, some time the first part of May in 1952, and we discussed the denial of passports to individuals in this country, what steps to take, to take guaranties that this denial wouldn't continue, that people would receive their passports; also spoke about how much money had been spent on sending delegations to Europe. I think it was something like I think about 20,000 bucks, somewhere around there, that Charlie

Velson mentioned that we had spent, that this committee had spent in sending delegations to Europe.

We were going to continue doing this if we could get passports. Therefore, we had to raise a hullabaloo about this passport situation by publicizing it in leaflets, by publicizing it in whatever press we could, by bringing it before the communities; also said that in order to continue this work we would have to set up a committee to carry on this work, out of the Chicago area, that we should send a delegation to the State Department, protesting the fact that passports were being denied certain individuals and that we do everything in our power to raise such a hullabaloo that the Passport Office of the State Department would be so embarrassed that they would then stop denial of passports to certain individuals.

Mr. ARENS. Tell us who was present at this meeting in Chicago.

Mr. WALLACE. I don't remember everybody that was there.

Mr. ARENS. Who was the leader?

Mr. WALLACE. I know Leon Straus chaired the committee.

Mr. ARENS. He was a Communist?

Mr. WALLACE. Yes.

Mr. ARENS. You identified him?

Mr. WALLACE. Yes.

Mr. ARENS. Who else?

Mr. WALLACE. Charlie Velson was there. He was secretary of the meeting.

Mr. ARENS. I hand you a document marked "Wallace Exhibit No. 5," which is a photostatic copy of a letterhead. I ask you if you can identify the signature on that document as the signature of Charles Velson.

Mr. WALLACE. Yes, I can.

Mr. ARENS. And this is on the letterhead of American Committee to Survey Labor Conditions in Europe and addressed to Banquet Department, Midland Hotel, Chicago, Ill., under date of March 30, 1952?

Mr. WALLACE. Yes.

Mr. ARENS. I suggest, Mr. Chairman, that this document be incorporated by reference in the record and retained in the files of the committee.

Mr. MOULDER (presiding). It may be incorporated.

Mr. ARENS. Who else was in attendance at that session in Chicago, whose name comes to your mind?

Mr. WALLACE. Leon Beverly was there. Other names, the last name I recognize, such as Mr. Frank, Mr. Roster.

Mr. ARENS. Did you, pursuant to decisions at the conference in Chicago, undertake to enlist support among the various Communist front groups and dupe groups in the country to destroy the passport system of this Nation?

Mr. WALLACE. Yes, we did.

Mr. ARENS. Tell us specifically what you did.

Mr. WALLACE. Specifically I came back home and I discussed it with the party club. I discussed the fact of getting behind this whole passport denial situation. We put in leaflet material. We brought it up in speeches before our union members. We really did a terrific, you know, a bang up job of letting the community know that the State

Department was doing this without any reason to, and that they were doing it on their own without any laws or any law being made that made them do it.

Mr. ARENS. Did the Communist Party, to your knowledge, enlist Communist lawyers or lawyers under Communist discipline to attack the legality of the proceedings in the State Department with reference to passports?

Mr. WALLACE. I wasn't in on it, but only by reference I know of it.

Mr. ARENS. Who is Leon Beverly?

Mr. WALLACE. Leon Beverly is from the Packinghouse Workers in Chicago. He is one of the officers.

Mr. ARENS. I lay before you a document marked "Wallace Exhibit No. 6," which is a letterhead of American Committee to Survey Labor Conditions in Europe, and ask you if you can identify the signature of the person who sent that letter.

Mr. WALLACE. Yes; Charlie Velson.

Mr. ARENS. Is that the signature of Charlie Velson?

Mr. WALLACE. Yes.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this letter be incorporated by reference in the record. It is a letter from Charles Velson addressed to Mr. Leon Beverly of United Packinghouse Workers, pertaining to news releases attacking the passport system of our Government.

Mr. MOULDER. It may be incorporated in the record.

Mr. ARENS. I forgot to ask you, with reference to your legal advice prior to your appearance before the Senate Committee, if Mr. Forer, who was your lawyer, identified himself to you or was identified as a member of the Communist Party?

Mr. WALLACE. No; he didn't identify himself. I told the club I was using Mr. Forer when I got to Washington, and they told me he was O. K.

Mr. ARENS. Would you tell us in your own words what caused you to change from a disciplined Communist to an anti-Communist, one who is and has been serving his Government in the fight against this conspiracy?

Mr. WALLACE. My whole ideological thinking changed in 1952, around August, September 1952, when I saw the use that they were making of me as a Negro person, fooling the Negro people in that community, blowing up incidents, such as inadequate homes, and things like blowing up and using it for Communist propaganda. When I saw what was happening to those people, and as far as work was concerned, the strikes; for instance, I recall one where the party forced that employer out of business and where 400 workers were thrown on the street just because of a lot of foolishness and party propaganda, when I started analyzing that, then I met with the FBI agent. We didn't discuss informant, we didn't discuss union or nothing. We discussed some of the lies I had been told. How the FBI functions, how people operate, how this Government operates. And I started analyzing that, I said, I can't go it any longer, I can't stand up and face it and still be a man and face my family, so I decided at that time that I was through with it. And then when I made the ideological change, I started getting out of it.

Mr. ARENS. You spoke a little while ago about your connection while you were in Moscow with the international peace movement,

Communist-inspired peace movement to undertake to stultify, hypnotize the West in this era of peril. What did you do after you returned to the United States to further the interest of this Communist-inspired operation?

Mr. WALLACE. Right after I returned to the United States I was unassigned as far as an assignment to work was concerned. I met with my party club, UE District 4. They immediately assigned me to working with the American Peace Crusade. I was sent to Chicago to attend the peace conference in Chicago, then I was brought back here to become a full-fledged member of the American Peace Crusade, a member of the resident board and executive board of that organization. I continued working with that organization from 1951 right through to 1955.

Mr. ARENS. What did you do in the organization?

Mr. WALLACE. I was a member of the resident board, helping to decide and shape policy of that group.

Mr. ARENS. During the course of your work with this group did you know a person by the name of Louis Wheaton?

Mr. WALLACE. Yes, I did.

Mr. ARENS. Can you identify Louis Wheaton?

Mr. WALLACE. Yes, I can. He was a member of the resident executive board. He was also a public speaker for the organization, and he was a member of the party.

Mr. ARENS. You here and now identify Louis Wheaton as a person known by you to your certain knowledge to have been a member of the Communist Party, is that correct?

Mr. WALLACE. Yes, I do.

Mr. ARENS. Did you know, in the course of your work with that group a person by the name of Mary Russak, R-u-s-s-a-k?

Mr. WALLACE. Yes, I do.

Mr. ARENS. Tell us what you know about Mary Russak.

Mr. WALLACE. Mary Russak was a member of the resident board. She was chairwoman of the New York Peace Committee. I worked with her as far as caucuses, and deciding the shaping of policy, prior to meetings of the peace crusade. I also worked with her as far as the trade union angle of the American Peace Crusade was concerned.

Mr. KEARNEY. Where did she live?

Mr. WALLACE. She lives in New York.

Mr. KEARNEY. New York City?

Mr. WALLACE. I don't know her exact address.

Mr. ARENS. She will be here tomorrow.

Did you know Mary Russak as a person known by you to be a Communist?

Mr. WALLACE. Yes, from the caucuses we had, yes.,

Mr. ARENS. You here and now identify her under oath as a person known by you to be a Communist?

Mr. WALLACE. Yes.

Mr. ARENS. Was there a Communist caucus when the American Crusade—

Mr. WALLACE. Yes.

Mr. ARENS. And was it actually controlled by the Communist conspiracy in this country?

Mr. WALLACE. Yes, it was.

Mr. ARENS. Now, I lay before you a document marked "Wallace Exhibit No. 7," which is a photostatic copy of a letter addressed "Dear Friend"—signature Willard Uphaus, and ask you if you have ever seen the original of this letter?

Mr. WALLACE. Yes; I did. I got it at my office.

Mr. ARENS. And that in essence is a letter, is it not, which condemns the United States Government for alleged germ warfare?

Mr. WALLACE. Yes; it is.

Mr. ARENS. And is part of the overall peace crusade to stultify the West; is that correct?

Mr. WALLACE. Yes; it is.

Mr. ARENS. Was this document and this American Peace Crusade part of the subject matter under discussion by the Communist Party caucus within the crusade?

Mr. WALLACE. It was under discussion within the crusade and also it was discussed at the resident board meeting of the crusade, American Peace Crusade.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this document, "Wallace Exhibit No. 7," be incorporated by reference in the record.

The CHAIRMAN. It may be so incorporated.

Mr. ARENS. Do you recall who chaired the resident board meetings?

Mr. WALLACE. Dr. Uphaus chaired the resident board meetings and would often turn them over to Tom Richardson.

Mr. ARENS. Was Dr. Uphaus controlled or subjected to the discipline of the Communist Party in its objectives?

Mr. WALLACE. Dr. Uphaus—I don't know too much about whether he was controlled. But I know the party caucus within that board certainly was able to push through policy regardless of Dr. Uphaus or anybody else on that board. We were able to get that policy pushed through.

Mr. ARENS. That would conclude, if you please, Mr. Chairman, the staff interrogation of this witness.

Mr. WILLIS. May I ask him a few questions?

The CHAIRMAN. Yes.

Mr. WILLIS. This speech that was prepared for you describes why you went, where you went, places you visited, people you saw and so on. It mentions factories that you visited. Did you visit those factories?

Mr. WALLACE. Yes; I did.

The CHAIRMAN. Mr. Wallace, did you deliver this speech at Phillipsburg?

Mr. WALLACE. Yes; I did.

The CHAIRMAN. Under the auspices of the UE?

Mr. WALLACE. Yes; I did.

The CHAIRMAN. I am sure that I am expressing the sentiments not only of this committee but of the entire Congress and the vast majority of the American people when I tell you that you have made a great contribution to the preservation of those things which mean so much not only to Americans but to the world.

What you did is not easy, but it may well be that the worth of your testimony before this committee is comparable to that of many hundreds, yes, thousands of men in uniform, because, if the American people are made aware of the macerations of this conspiracy, I am sure that they will be prepared to take necessary steps to combat it,

and they will combat it without regard to the smears of left-wing groups and the smears of those who would follow the Communist Party line.

And I again thank you and congratulate you.

Mr. WALLACE. Thank you.

The CHAIRMAN. The committee will stand in recess until 2:15.

(Thereupon, at 12:15 p. m., the committee recessed until 2:15 the same day.)

AFTERNOON SESSION—WEDNESDAY, MAY 23, 1956

(The committee reconvened at 2:15 p. m., pursuant to recess.)

The CHAIRMAN. The committee will be in order.

Call your next witness.

Mr. ARENS. Mr. Willard Uphaus, please.

Please remain standing while the chairman administers an oath to you.

The CHAIRMAN. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. UPHAUS. Yes; I do.

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. KEARNEY. Just a minute. May I have one of those sheets you are passing out to the press?

Mr. RABINOWITZ. I sent the statement to the committee in behalf of Dr. Uphaus.

Mr. ARENS. Please identify yourself by name, residence, and occupation.

TESTIMONY OF WILLARD UPHAUS, ACCOMPANIED BY COUNSEL, VICTOR RABINOWITZ

Mr. UPHAUS. I am Willard Uphaus. I live in New Haven, Conn. I am executive director of World Fellowship, Inc.

Mr. ARENS. How long have you been so employed?

Mr. UPHAUS. Between 3 and 4 years.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. UPHAUS. That is right.

Mr. ARENS. You are represented by counsel.

Mr. UPHAUS. That is right.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. RABINOWITZ. Victor Rabinowitz, 25 Broad Street, New York.

Mr. ARENS. Your counsel a moment ago said you were submitting a statement for consideration by the committee.

Mr. UPHAUS. The statement has been submitted, and I would like to present it today.

Mr. ARENS. Can you tell us to your certain knowledge whether any Communists participated in the preparation of that statement?

Mr. UPHAUS. That is ridiculous. I wrote it.

Mr. ARENS. Do you know whether it was edited by any Communists?

Mr. UPHAUS. That is ridiculous. No Communist saw it.

Mr. ARENS. Do you know whether your counsel is a Communist?

Mr. UPHAUS. Certainly not. I know nothing about his political views.

Mr. ARENS. Do you regard Communist Party association, affiliation, only as a question of political views?

Mr. UPHAUS. No, sir.

Mr. ARENS. Then why did you limit your knowledge of membership in the Communist Party to one's political views?

Mr. UPHAUS. That is what you had on your mind. There are cultural and social views as well.

Mr. ARENS. Do you know whether or not your counsel is a member of the Communist conspiracy?

Mr. UPHAUS. That question is loaded. You ask me whether I believe in a Communist conspiracy, first.

The CHAIRMAN. He did not ask you that at all. He asked you whether you knew that your counsel was a Communist.

Mr. UPHAUS. That wasn't the question. I beg to differ.

Mr. ARENS. To get it straight, do you know whether your counsel is a Communist?

Mr. UPHAUS. I certainly do not.

Mr. ARENS. Have you made any inquiry to ascertain whether or not he is a Communist?

Mr. UPHAUS. I have not.

Mr. ARENS. Mr. Chairman, he has submitted this statement. I respectfully suggest the committee may want to take it under advisement.

The CHAIRMAN. The statement?

Mr. ARENS. Yes, sir.

The CHAIRMAN. Yes, we will take it under advisement.

Mr. UPHAUS. May I present it at the present time?

The CHAIRMAN. We have it.

Mr. ARENS. Tell us, please, whether or not in 1949 you made application for a passport to go abroad.

Mr. UPHAUS. I did.

Mr. ARENS. Was that passport issued to you?

Mr. UPHAUS. It was.

Mr. ARENS. In that passport application, where did you say were the places of destination that you wanted to go?

Mr. UPHAUS. As I recall, Great Britain principally. I might have mentioned other European countries.

Mr. ARENS. Did you mention in the passport application any country behind what we call the Iron Curtain?

Mr. UPHAUS. As I recall, I did not.

Mr. ARENS. I lay before you, Dr. Uphaus, a photostatic copy of a passport application bearing a signature, and ask you whether or not that is a true and correct representation of your passport application.

Mr. UPHAUS. It appears to be.

Mr. ARENS. We will mark it "Uphaus Exhibit No. 1," and I respectfully suggest that it be incorporated by reference in the record and retained in the files of the committee.

The CHAIRMAN. It may be so incorporated.

(Uphaus exhibit No. 1 was incorporated by reference as a part of the record.)

Mr. ARENS. Where did you go on your trip in 1949?

Mr. UPHAUS. I went to Great Britain. I crossed by train, as I recall, Holland and Belgium. I visited in Germany, and I spent a short time in France.

Mr. ARENS. What was the purpose of your visit?

Mr. UPHAUS. I went to Great Britain as codirector of a ministers traveling seminar to study social and religious problems in Great Britain.

Mr. ARENS. Under whose auspices or sponsorship was this trip made?

Mr. UPHAUS. This was an independent group of ministers.

Mr. ARENS. And who paid for your expenses?

Mr. UPHAUS. Each person paid for his expenses.

Mr. ARENS. Did you hold these seminars?

Mr. UPHAUS. I went 3 or 4 days early and set up appointments with people in all aspects of British life, conservative, labor, church, the whole broad view of church life.

Mr. ARENS. How long did this trip take?

Mr. UPHAUS. Well, in Britain—I stayed in Britain until the end of July.

Mr. ARENS. In the aggregate, how long were you overseas?

Mr. UPHAUS. I returned in early September, I think.

Mr. ARENS. Of 1949?

Mr. UPHAUS. That is right.

Mr. ARENS. Then in 1950, did you make a second trip to Europe?

Mr. UPHAUS. Yes, sir.

Mr. ARENS. What occasioned that trip?

Mr. UPHAUS. To attend the Second World Peace Congress.

Mr. ARENS. And where was that congress held?

Mr. UPHAUS. It was held in Warsaw.

Mr. ARENS. Did you use the same passport to go to Warsaw, Poland, that you used on your first trip to Europe?

Mr. UPHAUS. This was a normal 2-year passport, which was still in existence. I used it, yes, sir.

Mr. ARENS. Under whose auspices did you travel to Warsaw?

Mr. UPHAUS. A sponsoring committee to get delegates to the congress.

Mr. ARENS. And did you attend the congress in Warsaw?

Mr. UPHAUS. I attended the congress in Warsaw.

Mr. ARENS. Did you make a speech to the congress at Warsaw?

Mr. UPHAUS. I made a speech.

Mr. ARENS. I lay before you, Doctor, a photostatic copy of a document which is a reproduction of certain speeches made at the Warsaw Peace Conference. I ask you whether or not you, in the course of your speech at the Warsaw peace congress, called for the admission of the People's Republic of China into the United Nations?

Mr. UPHAUS. Does the document say that I did?

Mr. ARENS. Yes, sir, according to this intercept.

The CHAIRMAN. Well, did you?

Mr. UPHAUS. That was 5 years ago, sir.

The CHAIRMAN. Did you?

Mr. UPHAUS. I do not recall. I have the complete text of the speech I made that day, if the committee is interested.

The CHAIRMAN. We have it, too.

Mr. ARENS. We have it, too. Did you at that time call for the admission of Red China into the United Nations?

Mr. UPHAUS. In all probability. I do not recall for sure.

Mr. ARENS. Did you at that time attack the Federal Bureau of Investigation?

Mr. UPHAUS. I criticized it.

Mr. ARENS. Did you say in effect that the Federal Bureau of Investigation has been given millions of dollars to employ agents to snoop into people's lives?

Mr. UPHAUS. I said that. It was the truth.

Mr. ARENS. How did you know that the objective of the money which was appropriated to the Federal Bureau of Investigation was to snoop into people's lives?

Mr. UPHAUS. I learned that through hard experience, sir.

Mr. ARENS. What was this hard experience that you learned about the millions of dollars used by the Federal Bureau of Investigation to snoop into people's lives?

Mr. UPHAUS. A friend came to my house and told me about an interview.

Mr. ARENS. And who was that friend?

Mr. UPHAUS. That would be contrary to my faith and belief, to bring that friend into this situation.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

The CHAIRMAN. Yes, you are directed to answer that question.

Mr. UPHAUS. I refuse to answer, on the following grounds: Under the 1st amendment, my rights to free speech, my right to the freest exercise of religion and free assembly, are protected, and hence Congress cannot legislate on such matters. Moreover, the question includes my right to privacy. And I say to you that that was a question of private relationships.

The CHAIRMAN. You have testified that millions of dollars were spent to snoop into private lives, and you reached that conclusion as a result of something that someone told you. Now, who was that someone?

Mr. UPHAUS. I reached conclusions on the basis of my voluminous reading, sir.

The CHAIRMAN. Well, what? What did you read that led you to that conclusion?

Mr. UPHAUS. Reports.

Mr. KEARNEY. What reports?

Mr. UPHAUS. Well, magazine reports, documentary reports, newspaper reports.

Mr. KEARNEY. Any reports from the Daily Worker?

Mr. UPHAUS. I do not recall any reports from the Daily Worker.

Mr. ARENS. Did you inform the State Department prior to the time that you went to the Warsaw peace conference that you were going there?

Mr. UPHAUS. The State Department, I think, knew that I was going to the congress, but it was to have been held in Sheffield, sir.

Mr. ARENS. Sheffield, England?

Mr. UPHAUS. That is right, sir.

Mr. ARENS. Did you tell the State Department that you were going to a Communist-controlled country?

Mr. UPHAUS. I do not accept the presupposition in your question.

Mr. ARENS. You do not accept the presupposition that Poland was controlled by the Communists; is that correct?

Mr. UPHAUS. I am not prepared to testify on that.

Mr. ARENS. Did you in your own knowledge believe that Poland was controlled by the Communist Party?

Mr. UPHAUS. That was not of concern to me. I was going to a peace congress which was far, far beyond—

The CHAIRMAN. Did you notify the United States Government that you were going to Poland?

Mr. UPHAUS. No, sir.

Mr. ARENS. However, you traveled on a passport which was issued to you on the basis of the representation you made to the State Department that you were going to non-Communist countries. Isn't that correct?

Mr. UPHAUS. I had no relationship directly with the State Department. I had a 2-year passport in hand. I did not have to apply.

The CHAIRMAN. How do you think you got a passport, if you did not have any relationship with the State Department?

Mr. UPHAUS. For that particular journey or mission, I did not make any special request.

Mr. ARENS. When you made your application for a passport, you listed the countries to be visited as England, France, Germany, Holland, Switzerland, and Scotland, did you not?

Mr. UPHAUS. Yes; but that was not a promise of what I was going to do for 2 years. That was for a specific trip.

Mr. ARENS. And thereafter you used this same passport for the purpose of going to Poland; is that correct?

Mr. UPHAUS. Yes.

The CHAIRMAN. How did you get to Poland from any of the countries in which you were authorized to travel?

Mr. UPHAUS. By train and by air.

The CHAIRMAN. How did you get permission to go to Poland?

Mr. UPHAUS. I presume the countries through which we passed gave us permission. We did not violate the law.

The CHAIRMAN. What country were you in immediately before you went into Poland?

Mr. UPHAUS. France.

The CHAIRMAN. How did you get from France to Poland?

Mr. UPHAUS. By way of Prague.

The CHAIRMAN. What permission did you have when you got to the border at Prague to go into Poland?

Mr. UPHAUS. It must have been the permission of the government that received us.

The CHAIRMAN. Did you have any particular permission?

Mr. UPHAUS. I didn't need permission, if the government received us.

Mr. ARENS. Who was with you on this mission?

Mr. UPHAUS. Which mission do you refer to?

Mr. ARENS. The mission to the Warsaw peace conference.

Mr. UPHAUS. Oh, there was a large American delegation of 66 people.

Mr. ARENS. How many?

Mr. UPHAUS. Sixty-six people, as I recall.

Mr. ARENS. How many of them to your knowledge were members of the Communist Party?

Mr. UPHIAUS. I have no notion whatever.

Mr. ARENS. When you were in Warsaw, Poland, at this Second World Peace Conference, did you in the course of your speech and comments before that conference make an assertion that 3 million non-citizens residing in the United States were being threatened with loss of their citizenship under Fascist legislation or absolute legislation of this country?

Mr. UPHIAUS. I believe something to that effect is in the address that I made.

Mr. ARENS. And where did you get that information?

Mr. UPHIAUS. That is also ascertainable by study.

The CHAIRMAN. You know it is not true; do you not?

Mr. UPHIAUS. No; I don't know it is not true.

The CHAIRMAN. Then why did you say it if you do not know whether it is true or not?

Mr. UPHIAUS. Well, I would think that 3 million was a modest number, who are intimidated by the cold war. That was modest.

The CHAIRMAN. What do you mean by that, intimidated by the cold war?

Mr. UPHIAUS. Because people are afraid to open their mouths for fear they will lose their jobs.

The CHAIRMAN. And they are going to be deported for that reason? Three million people?

Mr. UPHIAUS. Multitudes of people. I suppose there are that many or more who are foreign born or under surveillance due to the Walter-McCarran Act.

The CHAIRMAN. Now, do you mean by that that an alien can be deported only because he happens to be a member of the Communist Party? Is that what you are talking about?

Mr. UPHIAUS. Will you please ask the question again?

The CHAIRMAN. What did you mean about 3 million people being in fear of being deported?

Mr. UPHIAUS. Because of my acquaintanceship with the troubles and sorrows that many families have that are threatened or are deported.

The CHAIRMAN. There are not 3 million aliens in the United States. And nobody is deportable under the Walter-McCarran Act unless they have committed a felony within 5 years after they have arrived or are members of a proscribed organization, and then only after a trial in court. What you are objecting to is the provision in the law under which a Communist can be deported; isn't that it?

Mr. UPHIAUS. I don't think so, sir. I object to families being broken. I object to fathers and mothers being separated from their children. I object to older people who have given their lives here and grown up in this country being embarrassed and threatened with deportation.

Mr. ARENS. You are now a member of the American Committee for Protection of Foreign Born, one of the oldest Communist fronts in the country; are you not?

Mr. UPHIAUS. I am not a member.

Mr. ARENS. You are a sponsor and your name appears on the letter-head of the American Committee for Protection of Foreign Born; isn't that true?

Mr. UPHAUS. I am a sponsor; yes.

Mr. ARENS. And you have been a sponsor long since and long after the American Committee for Protection of Foreign Born has been exposed by the committees of the Congress as an arm of the Communist conspiracy; isn't that true?

Mr. UPHAUS. That has never been proved in court.

Mr. ARENS. Can you tell us the names of persons who, to your knowledge, are Communists and who are identified with the American Committee for Protection of Foreign Born?

Mr. UPHAUS. I positively do not know.

Mr. ARENS. Do you know Abner Green, of the executive committee of the American Committee for Protection of Foreign Born?

Mr. UPHAUS. Yes.

Mr. ARENS. Don't you know that he is a hard-core member of the Communist conspiracy?

Mr. UPHAUS. I do not know that.

Mr. ARENS. Are you also a member of the National Conference To Repeal the Walter-McCarran Law and Defend Its Victims?

Mr. UPHAUS. I believe that is right.

Mr. ARENS. You are one of the sponsors of that organization; are you not?

Mr. UPHAUS. I believe that is right.

Mr. ARENS. Do you not know that that is a front in front of the American Committee for Protection of Foreign Born?

Mr. UPHAUS. It has never been so declared in court.

Mr. ARENS. I direct your attention to the letterhead, in which your name appears, National Conference To Repeal the Walter-McCarran Law and Defend Its Victims, with American Committee for Protection of Foreign Born right on the letterhead.

Mr. UPHAUS. That is a matter of fact. But your question was something else.

Mr. ARENS. The question was: Do you know that the National Conference To Repeal the Walter-McCarran Law and Defend its Victims is a front in front of the American Committee for Protection of Foreign Born?

Mr. UPHAUS. I do not accept that.

Mr. ARENS. It is a creature of the American Committee for Protection of Foreign Born; is it not?

Mr. UPHAUS. I do not accept that.

Mr. ARENS. Explain to this committee how the name American Committee for Protection of Foreign Born appears on the letterhead of the National Conference To Repeal the Walter-McCarran Law and Defend Its Victims.

Mr. UPHAUS. I don't see the bearing of the sponsorship of the organization in its title.

Mr. ARENS. To your certain knowledge, doesn't the American Committee for Protection of Foreign Born sponsor the repeal of the Walter-McCarran Law?

Mr. UPHAUS. That was one of the activities, indeed.

Mr. ARENS. Of the American Committee for Protection of Foreign Born?

Mr. UPHAUS. That is right.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this letter-head be marked "Uphaus Exhibit No. 2," and incorporated by reference in this record.

The CHAIRMAN. Let it be so incorporated.

(Uphaus exhibit No. 2 was incorporated as a part of the record by reference.)

The CHAIRMAN. Where did you obtain your visa that enabled you to go from France to Poland?

Mr. UPHAUS. In the respective countries, as I recall.

The CHAIRMAN. You did not obtain a visa from the United States consulate, the Embassy in Paris, did you?

Mr. UPHAUS. No, sir.

The CHAIRMAN. And you did not have one when you left?

Mr. UPHAUS. To go to Paris?

The CHAIRMAN. No. To go to Poland. You know what I am talking about.

Mr. UPHAUS. No, sir, I didn't.

The CHAIRMAN. You did not have a visa?

Mr. UPHAUS. I did not.

The CHAIRMAN. Then where did you get the visa that you had when you moved from France into Poland?

Mr. UPHAUS. I know of no other way I could get it than through the respective governments.

The CHAIRMAN. Did you get it from the United States Government in Paris?

Mr. UPHAUS. I did not.

The CHAIRMAN. Where did you get it?

Mr. UPHAUS. From the respective governments.

The CHAIRMAN. The fact of the matter is, you were given it by some Communists in France, were you not?

Mr. UPHAUS. I could not prove that, not in 2 years.

The CHAIRMAN. As a matter of fact, you do not care; isn't that it?

Mr. UPHAUS. Right here is the discipline of the Methodist Church in the United States—

The CHAIRMAN. Please, do not try to inject that. That is cowardly.

Mr. UPHAUS. It is not.

The CHAIRMAN. Do not try to inject religion into this matter. You just answer these questions. Do not try to hide behind religion or anything else.

Mr. UPHAUS. It is part of my religion, sir.

The CHAIRMAN. What I want to know is where you obtained the visa you had when you went into Communist Poland. That is what I want to know.

Mr. UPHAUS. That would be difficult to say, except to say that it was at the hands of the governments that received us.

The CHAIRMAN. No, the government that received you did not give you a visa. The visa had to come from somewhere else. Now, where did it come from?

Mr. UPHAUS. I don't see how one can travel from country to country without some kind of official permission.

The CHAIRMAN. Well, the official document you had that enabled you to go to Paris, to France, came from your own Government.

Mr. UPHAUS. The 2-year travel; that is right.

The CHAIRMAN. That is right. And that enabled you to go to France. Now, we want to know how you were able to go behind the Iron Curtain, when no one else was permitted to travel behind the Iron Curtain. How did you get that permission?

Mr. UPHAUS. Oh, sir——

The CHAIRMAN. How did you get that permission?

Mr. UPHAUS. Many go behind the Iron Curtain.

The CHAIRMAN. Yes, I know.

Mr. UPHAUS. Of course they do.

The CHAIRMAN. How did you get permission to go to Poland?

Mr. UPHAUS. Through the peace committee in Poland, which no doubt functioned in cooperation with the Polish Government.

Mr. ARENS. In this speech that you made in Warsaw, Poland, did you also attack your Government for a "trial of ideas at Foley Square setting a precedent for jailing any whose ideas can be labeled as subversive and thereby jeopardizing the freedom of thought and its expression for all Americans"? Is that the essence of your attack against the Government of the United States?

Mr. UPHAUS. I do not call it an attack. It was a criticism of the cold war policy of that administration.

Mr. ARENS. Did you, in effect, say what I have just quoted with respect to the trial of the eleven Communist traitors at Foley Square?

Mr. UPHAUS. May I see the document, please?

I stand by what is in this record, whatever is in there.

Mr. ARENS. Will you give us the copy, then, of the speech that you say is the true and correct copy of your observations?

Mr. UPHAUS. That is the one I used. Handle it precious.

The CHAIRMAN. Did you comment on the trial at Foley Square?

Mr. UPHAUS. I don't recall that I did.

The CHAIRMAN. What is the best of your recollection?

Mr. UPHAUS. Sir?

The CHAIRMAN. What is the best of your recollection?

Mr. UPHAUS. The best of my recollection is that I made no reference in Poland to Foley Square.

Mr. ARENS. I lay before you a document entitled "Supplement to New Times, No. 48, November 29, 1950," in which is reproduced a speech by Dr. Willard Uphaus. That is you, is it not?

Mr. UPHAUS. That is right.

Mr. ARENS. I ask you whether or not that speech with reference to alleged comments by you pertaining to the Foley Square trial is true and correct.

Mr. UPHAUS. Would you put your finger on the point where it refers to Foley Square?

Mr. ARENS. Foley Square [indicating].

Citizens must be careful as to their political associations in the trial of ideas at Foley Square, setting a precedent for jailing any whose ideas can be labeled as subversive and thereby jeopardizing the freedom of thought and expression of all Americans.

Did you say that, or something substantially similar to that?

Mr. UPHAUS. May I have the original, please?

Yes, it is in there.

Mr. ARENS. During the course of your speech at the Warsaw Peace Conference, did you assert in effect that the Government of the United

States was engaged in suppression and intimidation of voices for peace, and as illustration of that Albert Maltz and others of the Hollywood ten are jailed, Dr. Edward K. Barsky and Mr. Howard Fast of the Anti-Fascist Refugee Committee have been serving prison sentences, and others of like ilk. Was that the essence of your comments on this issue before the Warsaw Peace Conference?

Mr. UPHHAUS. I really resent the use of the word "ilk."

Mr. ARENS. Well, others of your—

The CHAIRMAN. You.

Mr. UPHHAUS. That is in the record, yes, sir.

Mr. ARENS. You said that?

Mr. UPHHAUS. Yes.

Mr. ARENS. Did you know that these men whom you were defending as the voices of peace, the victims of suppression, were in jail because they were members of an international Communist conspiracy designed to destroy this country?

Mr. UPHHAUS. I did not know that.

Mr. ARENS. Did you make any effort to find it out before you condemned the Government of the country to which you owe allegiance, before you condemned this country, behind the Iron Curtain at that international conference?

Mr. UPHHAUS. Sir, I have read and thought and written on the question of the cold war and the conspiracy, and I do not accept your basic presupposition. Right here is a document by none other than Ernest T. Weir of the National Steel Corp., who agrees with me.

Mr. ARENS. Did you, while you were at the Warsaw Peace Conference, receive an invitation to go a little further behind the Iron Curtain, into Moscow?

Mr. UPHHAUS. That is right.

Mr. ARENS. And who extended that invitation to you?

Mr. UPHHAUS. The Soviet Peace Society.

Mr. ARENS. What was the nature of the invitation which you received? Was it an oral invitation, written, or telegraphic, or how was it?

Mr. UPHHAUS. The Soviet Peace Society was represented at Warsaw. Consequently, it was a face-to-face kind of invitation.

Mr. ARENS. And who invited you to go?

Mr. UPHHAUS. Well, I don't think we mentioned people that are in other countries.

Mr. ARENS. Was the person who invited you to go into Moscow—an American citizen traveling on an American passport—known by you to be a member of the Communist Party?

Mr. UPHHAUS. Not at all. I didn't know.

Mr. ARENS. Did you go to Moscow?

Mr. UPHHAUS. I did, sir.

Mr. ARENS. How did you get to Moscow?

Mr. UPHHAUS. We flew.

Mr. ARENS. Who paid your expenses?

Mr. UPHHAUS. I think the Soviet Peace Society paid the expenses.

Mr. ARENS. How long were you in Moscow?

Mr. UPHHAUS. About 10 days.

Mr. ARENS. While you were in Moscow, did you and your colleagues seek to see the then United States Ambassador to Moscow, Alan Kirk? Did you seek to see the United States Ambassador?

Mr. UPHAUS. Yes. We tried to have an appointment with him.

Mr. ARENS. Did the Ambassador refuse to entertain you?

Mr. UPHAUS. Well, it wasn't a question of his entertaining us. It was a question of us stopping by.

Mr. ARENS. Of receiving you.

Mr. UPHAUS. He didn't receive us, no.

Mr. ARENS. And what was the reason he gave for not receiving you?

Mr. UPHAUS. Well, he was under the apprehension that we were there for a purpose that we weren't there for. We were there for peace solely, to understand the Soviet people. And he made a grave mistake not to see 19 American citizens that day.

The CHAIRMAN. Have you the list of the 19 American citizens who were there? Will you give us the names of the citizens who accompanied you?

Mr. UPHAUS. That would be in violation of my right under the first amendment.

The CHAIRMAN. What constitutional right have you that would be impaired or infringed upon by giving us the names of the Americans who called with you on the American Ambassador?

Mr. WILLIS. And the persons whom he called citizens.

Mr. UPHAUS. Because I have no moral ground to drag their names in.

The CHAIRMAN. How are you dragging their names into anything?

Mr. UPHAUS. I have no moral ground, no right, to bring their names in here for the newspapers.

The CHAIRMAN. We want to know who they were.

Mr. UPHAUS. I am sure the Government has the record.

The CHAIRMAN. I direct you to answer the question.

Mr. UPHAUS. I decline.

Mr. ARENS. I think he wants to recite his reasons.

The CHAIRMAN. For the reasons heretofore stated. Is that it?

Mr. RABINOWITZ. Not entirely.

Mr. UPHAUS. Under the fifth amendment, I may not be compelled to bear witness against myself. I feel that in these circumstances to answer about my associations with some other people is not only morally wrong but it might also subject me to unjustified prosecution under the conspiracy or other laws of the United States. While I am innocent of wrongdoing, the privilege is for the protection of innocent persons as well as guilty, and I claim its protection.

The CHAIRMAN. With what crime do you think you might be charged if you give us the names of the persons who accompanied you to the American Embassy?

Mr. UPHAUS. How can I tell?

The CHAIRMAN. I direct you to answer that question.

Mr. UPHAUS. I cannot anticipate actions that the Government might take.

The CHAIRMAN. Nor can you frivolously invoke the fifth amendment.

Mr. UPHAUS. I know it is a very serious thing, sir.

The CHAIRMAN. It is a very serious thing. And I think I must warn you that you are in a very serious situation by refusing to answer a question which in no wise could jeopardize you in the criminal courts.

Mr. UPHAUS. Suppose that in speaking about these other 18 persons, I would say something that would involve them wrongly, which might cause them to take some action. I would be dragged right in again.

The CHAIRMAN. But you are not going to be asked anything about them. We are merely asking who they were.

Mr. UPHAUS. The Government knows who they were, sir.

The CHAIRMAN. We do not. Now give us the names of the persons who accompanied you.

Mr. UPHAUS. You can ascertain that information through the Government.

The CHAIRMAN. I am trying to now.

Mr. UPHAUS. It is accessible to you through the Government.

The CHAIRMAN. I do not know where. And the best evidence that I know of at the moment could come from your lips. Now, who were they?

Mr. UPHAUS. I cannot, sir. You have plenty of money to send an agent—

The CHAIRMAN. I direct you to answer the question: Who accompanied you to the Embassy.

Mr. UPHAUS. I refuse on the grounds already stated.

The CHAIRMAN. All right.

Mr. ARENS. Who was your host while you were in Moscow?

Mr. UPHAUS. The Soviet Peace Society.

Mr. ARENS. Where did you go?

Mr. UPHAUS. Well, we spent the most of our time, practically all, in Leningrad, Moscow, and Stalingrad.

Mr. ARENS. During the course of your visit there in Leningrad, Moscow, and Stalingrad, did you make an investigation as to the great issue of freedom of religion behind the Iron Curtain and in Soviet Russia?

Mr. UPHAUS. I went to church and worshiped with other people.

Mr. ARENS. Did you make a study of that subject?

Mr. UPHAUS. I made some study.

Mr. ARENS. Did you make a comprehensive investigation of that issue?

Mr. UPHAUS. One cannot do that in 10 days.

Mr. ARENS. After you returned from Moscow, did you join with others in issuing a report on the subject: Is There Freedom of Religion in the Soviet Union? Some Answers to the Question. Don't you first of all have an independent recollection of issuing a report in concert with others on the subject: Some Answers to the Question, Is There Freedom of Religion in the Soviet Union?

Mr. UPHAUS. I believe I had nothing to do with this particular document. Is my name on that document?

Mr. ARENS. I lay before you, Doctor, a photostatic copy of a document entitled "Some Answers to the Question, Is There Freedom of Religion in the Soviet Union? by British, Scottish, and American visitors to the Soviet Union in 1950," identifying a number of people who made the study, including one Dr. Willard Uphaus, on which

appears questions and answers on this very vital subject. And I ask you whether or not you were one of these participants.

Mr. UPHAUS. This simply tells that I was one person that interviewed the Metropolitan. The paragraph says nothing about what I said, except that I was a member, to interview the Metropolitan Nikolai.

Mr. ARENS. Did you participate in the preparation of this document which I lay before you, on the question of freedom of religion in Soviet Russia?

Mr. UPHAUS. I did not.

Well, look. That is the answer. I didn't have anything to do with that report.

Mr. ARENS. The report according to its face is issued by the National Council of American-Soviet Friendship.

Mr. UPHAUS. That is not Willard Uphaus.

Mr. ARENS. Were you part and parcel of the preparation of this document?

Mr. UPHAUS. I was not.

Mr. ARENS. Was it issued pursuant to any acquiescence of yourself?

Mr. UPHAUS. I don't think I was interviewed with respect to that document. It wasn't a question of acquiescence.

Mr. ARENS. Did you, after you returned, have knowledge of the publication of this document?

Mr. UPHAUS. I was informed of its publication.

Mr. ARENS. Did you read the document?

Mr. UPHAUS. I think I have read it.

Mr. ARENS. Have you ever taken issue with the essence of the answers in this document?

Mr. UPHAUS. Well, I have had discussions with people. I have never made any speeches about it, or anything like that.

Mr. ARENS. Did you entertain the convictions as expressed in this document with reference to the position of the religious institutions behind the Iron Curtain, and particularly in Russia?

Mr. UPHAUS. To answer that question, you have to know the whole history of the Russian church and what is meant by freedom of religion to them. They have a different concept than what we have in the United States. To them, they have freedom of religion.

Mr. ARENS. Here is a question. I want to ask you if you comport with this, in view of the fact that your name is identified as one of those who made this study, the study which you talked about here:

Question. Do you believe the present State regime fulfills the social ideals of religion?

Answer. The social ideals of religion—love, justice, equality, brotherhood, peace—are integral parts of the present Soviet system. Not only theoretically but realistically in this case. The Government is building for peace. All the people are equal. There is sincere brotherhood and true friendship between the peoples of our country. The Government teaches love for labor and duty to humanity along with love, justice, equality, which help in the development of people and in living together.

Is that the essence of your conviction and your position?

Mr. UPHAUS. There is a very deep distinction there. I am sure, as I talked with the churchmen in the Soviet Union, that they did teach love, brotherhood, and mercy, and all the attributes of religion.

Mr. ARENS. You say here the Government teaches love.

Mr. UPHAUS. I did not say that.

Mr. ARENS. Do you subscribe to this conviction respecting freedom of religion in Soviet Russia, that the Government teaches love, justice, equality?

Mr. UPHAUS. I do not. It isn't a part of the Government to teach that.

Mr. ARENS. Have you ever taken issue with that?

Mr. UPHAUS. Well, I am doing that today, to indicate that the Government of Russia doesn't do that. It is the church, the church men. I don't think officials officially in our country do that either.

Mr. ARENS. Another question here:

Do clergy have the right to criticize the Government?

Answer. The clergy's job is not to criticize the Government but to teach and preach our sacred religion. All of his time is spent delving into religious matters and not into politics. As a citizen of the Soviet Union, however, he has the right to engage in the discussions of the problems of our country.

Is that the conviction that you had on the basis of your investigation of freedom of religion in Soviet Russia?

Mr. UPHAUS. Religion in the Soviet Union?

Mr. ARENS. Just answer that question, and then go ahead on any explanation.

Mr. UPHAUS. I cannot. I have to explain what is back of that. I have to distinguish between Russia and the United States in that regard, the definition of religion, its meaning, the relationship to government.

Mr. ARENS. All right, sir. After your return to the United States from Soviet Russia, did you have occasion to make application for still another visit abroad?

Mr. UPHAUS. I think I made application in 1952 for a passport.

Mr. ARENS. And what happened to that application?

Mr. UPHAUS. I was turned down.

Mr. ARENS. Turned down by the State Department. On the basis of that application? Where were you going?

Mr. UPHAUS. I believe I was hoping to go to a peace conference in South America, as I recall.

Mr. ARENS. What was the peace conference you were to attend?

Mr. UPHAUS. I believe it was called Inter-Continental, or something like that.

Mr. ARENS. Was that the American Inter-Continental Peace Conference?

Mr. UPHAUS. That is right.

Mr. ARENS. And you were refused a passport; is that correct?

Mr. UPHAUS. That is correct.

Mr. ARENS. Thereafter did you make application for still another passport?

Mr. UPHAUS. I have no record in my correspondence here. Possibly I did.

Mr. ARENS. Did you propose to go to Austria in 1952?

Mr. UPHAUS. Oh, yes. I think I wanted to go to Austria.

Mr. ARENS. Did you make a passport application at that time?

Mr. UPHAUS. As I recall, I did, yes.

Mr. ARENS. I lay before you a photostatic copy of a document entitled "Department of State Passport Application," which is dated in September 1952, bearing the signature of Willard Uphaus, and ask you whether or not that is the passport application which you made.

Mr. UPHAUS. I think that is it.

Mr. ARENS. What was your purpose in seeking to go to Austria?

Mr. UPHAUS. I wanted to meet the peoples of the different countries of Europe in the interests of peace.

Mr. ARENS. Were you at that time cognizant of the fact that the Peiping Peace Conference was about to be held, in October of 1952, a month after you made your application to go to Austria?

Mr. UPHAUS. I think I recall, yes, that that conference in China—

Mr. ARENS. Did you intend to go to the Peiping Peace Conference?

Mr. UPHAUS. I don't think I entertained any thought like that.

Mr. ARENS. Tell us what was the Peiping Peace Conference?

Mr. UPHAUS. Well, it was a conference of peoples bordering the Pacific; as it happened, made up mainly of oriental people.

Mr. ARENS. Where was it being held?

Mr. UPHAUS. In the capital of China.

Mr. ARENS. Which China? You don't mean Formosa. You mean Red China?

Mr. UPHAUS. I mean the legitimate China today.

Mr. ARENS. You mean the Communist-controlled China?

Mr. UPHAUS. I mean the China that is now governed by a coalition government.

Mr. ARENS. Is that the government which has Communists at the head of it, atheistic, godless Communists at the head of it?

Mr. UPHAUS. Can we stop long enough to discuss what materialistic philosophy of life is?

Mr. KEARNEY. I think he said materialistic communism.

Mr. UPHAUS. Materialistic Communists may be very devout humanists, sir, loving their fellowmen and working for peace.

Mr. ARENS. You honestly believe that the members of the Communist conspiracy love their fellowmen and work for peace?

Mr. UPHAUS. You always load the question, sir.

Mr. ARENS. Tell us whether or not you do believe that the International Communists, the members of the Communist Party, are real humanists working for peace.

Mr. UPHAUS. Oh, by and large, as much as people in any country or in any party.

Mr. ARENS. How long have you entertained that conviction?

Mr. UPHAUS. For a long time.

Mr. ARENS. And you were going to go to the Peiping Conference if you could, were you not?

Mr. UPHAUS. Well, it was a natural desire. I had never been in the Orient, and I thought it was legitimate that I should, if I could.

Mr. ARENS. Do you know a person by the name of Anita Willcox?

Mr. UPHAUS. Yes, I know her.

Mr. ARENS. Did you know that at the Peiping Peace Conference she read a greeting from you reading as follows:

I am delighted to be able to send greetings and best wishes to your great conference through my good American friends, Mr. and Mrs. Henry Willcox. I profoundly regret that I cannot be present in person to share the spirit and deliberations that will go far to establish peace not only in Asia and Pacific regions but throughout the world.

Did you send such a message to the Peiping Peace Conference in October of 1952?

Mr. UPHAUS. If I didn't, I should have. That expresses my philosophy of life.

Mr. KEARNEY. Well, did you send such a message?

Mr. UPHAUS. I think I did.

Mr. KEARNEY. You think you did. Do you know whether or not you did?

Mr. UPHAUS. That has been a long time, and I send many letters and telegrams in my active life.

Mr. KEARNEY. You can remember what you want to remember, though.

Mr. UPHAUS. That is an accusation.

Mr. KEARNEY. Of course it is. You are not kidding me any by your testimony here. You know whether you sent that message or not.

Mr. UPHAUS. It sounds like me, and I think possibly I did.

Mr. KEARNEY. It does sound like you.

Mr. UPHAUS. Indeed. It expresses my philosophy of life. I am working for peace every day of my life.

Mr. ARENS. Was this a telegram, or a letter, or what was the nature of the message of the Willcoxes received from you?

Mr. UPHAUS. I can't say for sure whether it was a wire or an air-mail letter.

Mr. ARENS. Do you recall when you sent it to them?

Mr. UPHAUS. I cannot recall exactly.

Mr. ARENS. Did you know the Willcoxes were going to that peace conference at Peiping before they actually departed from the United States?

Mr. UPHAUS. I knew it was their hope that they would get there.

Mr. ARENS. And when did they express that hope to you?

Mr. UPHAUS. Well, sometime before their departure from this country. I don't know the day.

Mr. ARENS. Did you know whether or not they expressed that hope of belief or conviction to the Department of State prior to the time they left the United States to go to Peiping?

Mr. UPHAUS. I cannot testify for them. I don't know about that.

Mr. ARENS. Did you have any conversation with them prior to the time they left the United States, with the ultimate destination of Peiping, China?

Mr. UPHAUS. I had a conversation with them.

Mr. ARENS. Did they at that time tell you that they had plans to go to Peiping?

Mr. UPHAUS. I think they said they hoped they would get there.

Mr. ARENS. Did you know what route they took to go to Peiping?

Mr. UPHAUS. Not exactly, no.

Mr. ARENS. Did you know they did not go by the most direct route to Peiping?

Mr. UPHAUS. I could not possibly trace their course.

Mr. ARENS. Did you actually ask the Willcoxes to attend the Peiping Conference?

Mr. UPHAUS. I don't think I made a categorical request. I expressed the hope that they would get there.

Mr. ARENS. When did you express the hope to the Willcoxes that they would ultimately arrive at Peiping for the peace conference?

Mr. UPHAUS. We were in conversation.

Mr. ARENS. How long before they actually departed did this conversation take place?

Mr. UPHAUS. I cannot remember that.

Mr. ARENS. Where did this conversation take place?

Mr. UPHAUS. I think it was in their home.

Mr. ARENS. Did you receive a passport on the basis of your request to go to Austria?

Mr. UPHAUS. No, sir.

Mr. ARENS. In 1952?

Mr. UPHAUS. No, sir.

Mr. ARENS. Did you at that time, when you made your application for your passport to go to Austria, intend to use that passport to ultimately arrive by some devious route at the Peiping Peace Conference?

Mr. UPHAUS. It was conceivable that I would go on if I could find a way to go on to that peace conference. I thought I should be there, as a citizen.

Mr. ARENS. Did you make a representation in your application to the Passport Division of the Department of State in 1952 that you intended ultimately, if you could make it, to get on to Peiping?

Mr. UPHAUS. That, I did not know.

Mr. ARENS. I lay before you a photostatic copy of your passport application of 1952, on which appears "Countries to be visited: Great Britain, France, Belgium, Germany, Switzerland, Netherlands, and Austria."

Why didn't you also put on your application that you were going to go on to the Peiping Conference if possible?

Mr. UPHAUS. Well, it was certainly a vague hope that I could get there. It wasn't realistic.

Mr. KEARNEY. Is the reason you did not put it on there, because you knew you could not get a passport?

Mr. UPHAUS. Well, I couldn't get a passport to do this.

Mr. KEARNEY. That is good.

Mr. ARENS. But at the time you made this application you did intend if possible to get on to Peiping?

Mr. UPHAUS. I hoped I would get there. That was part of my mission.

Mr. ARENS. You knew, as a matter of fact, Doctor, at the time you made that application in 1952, that travel of American citizens was restricted and prohibited; isn't that correct?

Mr. UPHAUS. I am not sure whether I knew or not. Anyway, if I had known, I would have followed the U. N. Declaration of Human Rights, which says we have the right to travel into any country and return to our country.

Mr. SCHERER. You follow that instead of the law of this country?

Mr. UPHAUS. That is an edict that represents the majority of mankind.

Mr. KEARNEY. Why do you not answer the gentleman's question? You can answer it yes or no.

Mr. UPHAUS. It is a question of law, you said?

Mr. SCHERER. I said you followed what you conceived to be the United Nations doctrine, rather than the law of the United States.

Mr. UPHAUS. When I have to choose between all humanity and a particular government, a Christian has to make that choice.

Mr. SCHERER. You would make the choice of following a prescribed rule or procedure or doctrine of the United Nations rather than the law of the United States?

Mr. UPHAUS. It is not a prescribed rule. It is a privilege. It is historically a right inherent in society to move from one's country to another. That is ancient history.

Mr. SCHERER. You would follow that rather than the law of the United States, if the law of the United States prohibited such a right to move from this country to a country behind the Iron Curtain?

Mr. UPHAUS. Well, when I face that dilemma, I will decide it.

Mr. SCHERER. Well, you did decide it in this particular instance, did you not?

Mr. UPHAUS. I knew in my heart that I had the moral right to go to any peace congress in the world. That was according to the dictates of my church, my conscience, and my life.

Mr. SCHERER. But you did know that irrespective of what your own personal feelings might be, the law of this country prohibited you from traveling behind the Iron Curtain, did you not.

Mr. UPHAUS. I did not know that.

Mr. SCHERER. You did not know that? Well, if you did know it, which would you have followed?

Mr. UPHAUS. How can one ask about what one would do?

Mr. KEARNEY. You told us a minute ago that you followed the dictates of your own conscience or practically the same words.

Mr. UPHAUS. But when that opportunity arose, there might be new elements on which to base a decision. My conscience tomorrow may lead me to do something slightly different from today.

Mr. SCHERER. I think the witness originally made his position clear and started to hedge after he had good advice from counsel.

Mr. ARENS. After you made application for this passport to go to Austria in 1952, in what section of Austria were you to have this conference that you were to attend?

Mr. UPHAUS. I believe—I know—it was to be held in Vienna.

Mr. ARENS. At the time you made this application, were you identified with the Committee for Peaceful Alternatives?

Mr. UPHAUS. I think so.

Mr. ARENS. Did you know that the Committee for Peaceful Alternatives has been cited as part and parcel of the Communist conspiracy?

Mr. UPHAUS. Oh, yes, I knew that.

Mr. ARENS. It made no difference to you anyhow; is that correct?

Mr. UPHAUS. Positively not.

Mr. ARENS. Now, did you send a message to this Peace Conference in Austria?

Mr. UPHAUS. It would be my nature to do so.

Mr. ARENS. Did you, in this message, include a strong plug for China assuming its rightful place among the nations of the world?

Mr. UPHAUS. I probably did. That is the way I felt about it. It represented my point of view.

Mr. ARENS. And your point of view at that time, and it is now, is it not, Doctor, that Red China, Communist-controlled, atheistic, godless China, should be admitted into the council of the nations of the world in the United Nations?

Mr. UPHAUS. I just admit that China should be, the present Government of China should be admitted. I don't put all the adjectives in.

Mr. ARENS. Don't you think the present Government of China is controlled by the atheistic, godless international conspirators, the Communists?

Mr. UPHAUS. Oh, sir—you have to define what goes on in that country before making generalizations like that.

Mr. KEARNEY. Do you know what goes on in that country?

Mr. UPHAUS. I read a great deal. My wife was——

Mr. KEARNEY. Do you personally know what goes on in that country?

Mr. UPHAUS. I know a great deal.

I know a great deal. My wife was a missionary 17 years in that country, and we read a great deal about China.

Mr. KEARNEY. Your wife was a missionary in old China, was she not?

Mr. UPHAUS. Yes, but she knows a great deal about present China.

Mr. KEARNEY. Has she been in the new China, we will say?

Mr. UPHAUS. She has not.

Mr. ARENS. If the Communist conspiracy would control China, and if it is an atheistic, godless conspiracy, would you still be an advocate of the admission of Red China into the council of the nations of the world?

Mr. UPHAUS. That is an "iffy" question. I simply testified, sir, that I believe that the present government in China—and England and those countries are all in agreement with me—that China should be admitted to the council of the nations.

Mr. ARENS. What if China were controlled by the atheistic, godless conspiracy I have been talking about? Would you still be an advocate of admitting China into the nations of the world?

Mr. UPHAUS. I certainly would.

Mr. KEARNEY. On that question I am glad to disagree with you.

Mr. UPHAUS. Well, that is why we are quoting the Declaration of Independence and the Constitution and the Bill of Rights today.

Mr. KEARNEY. You have not been quoting the Declaration of Independence. You have been quoting the Declaration of the United Nations, as far as I can see.

Mr. ARENS. And you are familiar with the words from the Song of David?

Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful.

Mr. UPHAUS. That was his point of view.

Mr. ARENS. Whose point of view?

Mr. UPHAUS. The person who wrote it.

Mr. ARENS. You do not concur with that point of view of David in the Book of Psalms?

Mr. UPHAUS. I have a basic disagreement with a lot that I read in the Bible.

Mr. ARENS. I assume you feel that David was in error when he said:

Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful.

Mr. UPHAUS. Is this a theological seminar today?

Mr. ARENS. You came with a Bible today. You have been the man who has been waving it around in front of this committee.

Mr. UPHAUS. Will you give me time to discuss the theology of that verse that you quoted to me?

Mr. ARENS. Would you tell this committee whether or not you participated in a conference, in a rally, at New York City respecting the Vienna Peace Conference?

Mr. UPHAUS. What was the question, sir?

Mr. ARENS. Did you participate in a rally, in New York City, in December of 1952, a "Peace on Earth Rally," which was operating in concert with the Vienna rally which you were unable to attend because you couldn't get a passport?

Mr. UPHAUS. Sir, I was the director——

Mr. ARENS. Can't you just answer the question? Did you participate in the rally?

Mr. UPHAUS. Yes.

Mr. ARENS. And in that rally did you say this: "We have a delegation of Americans there," namely at Vienna, "at least 20, in spite of the State Department"?

Did you say that at this rally?

Mr. UPHAUS. I would have to see the text.

Mr. ARENS. Let me lay before you a text as recited in a paper we call here the Communist Daily Worker. And I would like to read to you just a couple of paragraphs and see if this refreshes your recollection.

"How many of us would like to be in Vienna tonight?" asked Dr. Willard Uphaus with a smile at the Peace on Earth Rally at Palm Garden Monday night. There was an answering burst of applause, and more when Dr. Uphaus, the head of the United States sponsoring committee for representation at the Congress of the Peoples for Peace, revealed that "we have a delegation of Americans there, at least 20, in spite of the State Department."

Is that an accurate quotation of yourself at that peace rally?

Mr. UPHAUS. I can't say yes or no just from a newspaper report.

Mr. ARENS. Don't you have a recollection of saying in effect that you do have people at this peace conference in Vienna in spite of the State Department?

Mr. UPHAUS. I honestly don't recollect just what I said.

Mr. ARENS. Do you recollect that there were people at the Vienna conference?

Mr. UPHAUS. Yes, I knew there were people there.

Mr. ARENS. Did you know people were there from the United States?

Mr. UPHAUS. I knew they were there, yes.

Mr. ARENS. Did you know they were attending the conference in spite of the State Department?

Mr. UPHAUS. Well, I can't answer that, because they all had passports.

Mr. ARENS. Do you know how they procured those passports?

Mr. UPHAUS. I cannot tell you. They made applications I suppose normally, the way other people do.

Mr. ARENS. You know your passport application was turned down, to go to the Vienna Peace Conference, do you not?

Mr. UPHAUS. That is right.

Mr. ARENS. Do you have any recollection of saying that "they are there in spite of the State Department"?

Mr. UPHAUS. I have no recollection of having said that.

Mr. ARENS. Is this quotation erroneous?

Mr. UPHAUS. How could I vouch for a quotation, a paper?

Mr. ARENS. Did this peace rally that you had in New York City in 1952 have an international telephone hookup with Vienna so that they would be working together?

Mr. UPHAUS. I think possibly there was a message sent, as I recall, to Vienna.

Mr. ARENS. Who sent the message from the United States?

Mr. UPHAUS. That I do not recall.

Mr. ARENS. Paul Robeson did, did he not?

Mr. UPHAUS. Well, I am not sure who did.

Mr. ARENS. Do you remember seeing Paul Robeson there at that rally?

Mr. UPHAUS. I do not remember, but it is possible that he was there.

Mr. ARENS. Was Isobel Cerney there?

Mr. UPHAUS. I do not remember.

Oh, yes, she is from California. She was there, I think.

Mr. ARENS. And she was just back from the conference at Peiping?

Mr. UPHAUS. I think so.

Mr. ARENS. I lay before you a document entitled "International Telephone Hookup" and ask you if that was a true representation of the program in which you participated that evening in this international hookup with Vienna.

Mr. UPHAUS. I see nothing abnormal in that.

Mr. ARENS. That isn't the question. Is that a true and correct representation of the program at that meeting?

Mr. UPHAUS. As I recall, that represents what it was.

Mr. ARENS. I suggest, Mr. Chairman, that this document be marked "Uphaus Exhibit No. 3," and incorporated by reference in the record.

The CHAIRMAN. It may be so incorporated in the record.

(Uphaus exhibit No. 3 was incorporated as a part of the record by reference.)

Mr. ARENS. Did you about that time, in November of 1952, make a speech or issue a statement criticizing the State Department for undertaking to restrict travel of people to the Vienna Peace Conference?

Mr. UPHAUS. I was very critical of the State Department for doing that. I felt that it violated the real right that we had to go to a peace meeting.

Mr. ARENS. To your knowledge, did anyone attend that peace conference who did so in circumvention of the law and regulations under which the Passport Office of the Department of State was operating?

Mr. UPHAUS. I cannot testify to anyone doing that in those conditions.

Mr. ARENS. I say, do you have knowledge of that?

Mr. UPHAUS. I have no knowledge of anyone having violated the law.

Mr. ARENS. I should like to read this to you. See if this is a true and correct—

Mr. SCHERER. May I interrupt a minute?

Do I understand that your feeling is such that you think they had a right to go irrespective of the law and rules and regulations of the State Department?

Mr. UPHAUS. The cause of peace in the world is the primary cause and purpose which transcends the politics of the State Department.

Mr. SCHERER. I did not ask you about the politics of the State Department. I asked you whether or not you felt that these people had a right to attend this peace conference irrespective of the fact that it violated the law.

Mr. UPHAUS. Basically, the right of movement in the world to work for peace is a basic moral right. And restrictions in law sometimes contravene what is right and true.

Mr. KEARNEY. Then according to you we should throw out the State Department.

Mr. UPHAUS. That doesn't follow.

Mr. ARENS. Incidentally, in passing, did I understand you to say you also had spent considerable time in China, or was it your wife?

Mr. UPHAUS. My wife.

Mr. ARENS. Did she ever tell you the old Chinese adage that "You can't carve rotten wood"?

Mr. UPHAUS. I might have heard it at some time. I don't think she told me.

Mr. ARENS. Don't you think that might be applicable in these peace conferences, where you sit down with traitors, materialists, atheists?

Mr. UPHAUS. Listen, Mr. Arens. When the bombs fall, they are not going to ask me whether I am a Methodist or an atheist or a Communist. And I tell you now that it is the responsibility of atheists as well as Christians to work for peace and coexistence. That is the basic philosophy. And I get it right from the religion of Jesus.

Mr. ARENS. Were you one of the sponsors of this Vienna Peace Conference, where you were going to sit down with these Communists and these atheists and these international traitors to build peace and carve out a peace for the world?

Mr. UPHAUS. Didn't our President say he would go anywhere in the world for peace? President Eisenhower?

Mr. SCHERER. I ask that you direct the witness to answer the question.

Mr. ARENS. Weren't you the director of the sponsoring committee for this Vienna peace parley?

Mr. UPHAUS. Yes.

Mr. ARENS. Can you tell us who some of the other directors were of this Vienna peace parley that you set up?

Mr. UPHAUS. That is a matter of record.

Mr. ARENS. Well, was Dr. W. E. B. DuBois one of them?

Mr. UPHAUS. That is a matter of record.

Mr. ARENS. Was he?

Mr. UPHAUS. I say it is a matter of record.

Mr. ARENS. Are you affirming it or denying it? Was Dr. W. E. B. DuBois a member of this peace parley?

Mr. UPHAUS. If his name is on the letterhead then he was.

Mr. ARENS. Do you have a recollection that he was?

Mr. UPHAUS. I do.

Mr. ARENS. Why did you not say so? You do not need to parry with us. We are just trying to seek the facts.

Was Dr. John Kingsbury a member of this peace parley committee? Was he?

Mr. UPHAUS. May I see the list? Then I'll know.

Mr. ARENS. Do you have an independent recollection as of this moment?

Mr. UPHAUS. I think he was, but I would like to see the documentation.

Mr. ARENS. Do you know whether or not Louis Wheaton, chairman of the delegation to Peiping, expressed to the Department of State his intention to attend either the Peiping or Vienna conference, prior to the time he got his passport?

Mr. UPHAUS. I do not know about that.

Mr. ARENS. Did you make this statement:

Dr. Willard Uphaus, Methodist churchman, declared yesterday that the recent State Department denunciation of the Congress of the Peoples for Peace, to be convened in Vienna, December 12, is more of a great deal of evidence that our top officials are opposed to any peace meeting of East and West, no matter how broadly representative, no matter how democratic the rules of procedure.

Now, what did you do toward sending that delegation to the congress, when you knew the State Department was opposed to the attendance of American citizens in that congress?

Mr. UPHAUS. I think I have testified earlier that the right of assembly for peace is a prior right.

Mr. ARENS. Can't you just answer the question honestly and fairly? What did you do toward sending people to that Vienna conference after you knew the State Department was trying to keep people from going to that congress?

Mr. UPHAUS. Well, I looked at the purpose of the conference. I knew it was legitimate. And I encouraged everyone who could go to go.

Mr. ARENS. And you did that after you knew that the State Department had issued a prohibition against American citizens attending that congress, because it was controlled by the international conspiracy of communism; is that correct?

Mr. UPHAUS. That isn't correct.

Mr. ARENS. Then you state it. Did you at the time you sent these messages around know that the State Department was opposed to issuing passports to American citizens to attend that congress?

Mr. UPHAUS. I knew that.

Mr. SCHERER. And you did it in spite of that?

Mr. UPHAUS. Indeed. Because that was our mission.

Mr. SCHERER. Why did you do it?

Mr. UPHAUS. Because the peace of the world transcended the cold war for which the State Department stood.

Mr. SCHERER. You set up, then, your own philosophy and followed that rather than the law of this country.

Mr. UPHAUS. It is part of the Christian religion.

Mr. SCHERER. I disagree with some of the Supreme Court decisions that were recently made. But I follow those decisions no matter how violently I disagree with them.

Mr. UPHAUS. I do not follow them when they contravene my Christian conscience.

Mr. SCHERER. You mean you do not follow the decisions of the Supreme Court if they contravene your conscience?

Mr. UPHAUS. I don't know of any time I have contravened a Supreme Court order. We were talking about the State Department.

Mr. SCHERER. This is a new liberalism.

Mr. ARENS. Is the record clear, Doctor, that despite the fact that you knew the State Department was prohibiting the issuance of passports to American citizens to attend the Vienna congress, you nevertheless were encouraging people, American citizens, to attend that congress?

Mr. UPHAUS. I felt that America should be represented; that it would be wrong for her not to be represented.

Mr. ARENS. You did not answer the question. Did you actually encourage people to attend the Vienna congress, notwithstanding the fact that you knew and were informed that the State Department was prohibiting people from attending that congress?

Mr. UPHAUS. The answer is "Yes."

Mr. ARENS. What did you do toward consummating this objective of yours to get American citizens to attend this congress, which was a matter of prohibition by your Government? Just tell us what you did.

Mr. UPHAUS. Well, I did many things. I wrote letters, I talked to people. I read the call to the congress. I agreed with it. And I tried to interest American citizens in it.

Mr. ARENS. Did you actually participate in the formation of a committee?

Mr. UPHAUS. I did.

Mr. ARENS. A formal committee for participation in the peace conferences which we have been talking about?

Mr. UPHAUS. That is right. I did.

Mr. ARENS. And who worked with you in the formation of this committee to defy your Government?

Mr. UPHAUS. That is a matter of record.

Mr. ARENS. Well, tell us, to your recollection who were the members of that committee to defy your Government?

Mr. UPHAUS. Many of them were outstanding churchmen.

The CHAIRMAN. Well, name some of the outstanding churchmen.

Mr. UPHAUS. It is a matter of record, sir.

Mr. ARENS. Who as of this instant to your recollection participated with you in the formation of an organization whose objective it was to defy the prohibitions of your Government against attendance at Communist-controlled peace conferences?

Mr. UPHAUS. I decline on the grounds of the fifth amendment.

Mr. ARENS. Do you honestly apprehend, that if you told this committee who participated with you in the formation of an organization to send people to peace conferences against the orders of the Department of State in violation of the passport regulations, you would be supplying information which might be used against you in a criminal proceeding?

Mr. UPHAUS. Positively, yes. I don't trust the committee.

Mr. SCHERER. Just a minute. I ask that the Chair direct him to answer the question. Because first, I think he is improperly invoking the fifth amendment, and second, if by chance he is properly invoking it he certainly waived any privilege he has to invoke the fifth amendment, in view of his testimony on this subject.

The CHAIRMAN. Yes. You are directed to answer the question.

Mr. UPHAUS. I have to decline, your Honor.

The CHAIRMAN. No. You do not have to. You are not under any compulsion.

Mr. UPHAUS. The whole situation is compulsion around me.

The CHAIRMAN. No, it is not. You are merely asked to answer the question. And then, when you did not, you are directed to answer.

Mr. UPHAUS. I cannot in good conscience, sir.

The CHAIRMAN. Just a minute, please. That is not a proper answer.

Mr. UPHAUS. Why isn't it? I have to answer to myself, as you do, to every conduct in your life.

Mr. SCHERER. I think this witness is in contempt. In order, again, to comply with a Supreme Court decision with which I do not agree, but which I recognize I must follow and will follow, I think we should say that we do not accept his answer, and that in our opinion the witness, in refusing to answer, is guilty of contempt.

The CHAIRMAN. Answer the question.

Mr. UPHAUS. I cannot in good conscience, sir.

Mr. ARENS. Did you encourage Mary Russak to attend the Vienna conference?

Mr. UPHAUS. In all likelihood.

Mr. ARENS. Did you know that Mary Russak is a hard-core member of the Communist Party?

Mr. UPHAUS. No, sir.

Mr. ARENS. Would it make any difference to you if you did know she was a member of the Communist Party?

Mr. UPHAUS. No, sir.

Mr. ARENS. What were your activities in concert with Mary Russak?

Mr. UPHAUS. Well, as I recall, we met occasionally in committees to plan.

Mr. ARENS. What committees did you meet with?

Mr. UPHAUS. Well, they were committees of this sponsoring committee to get people to go to Vienna.

Mr. ARENS. And was Mary Russak on this sponsoring committee?

Mr. UPHAUS. I don't think so.

Mr. ARENS. Well, what was she doing in the meetings?

Mr. UPHAUS. People sometimes are invited in to take committee action who are not on the official sponsoring list. That often happens.

Mr. ARENS. Mary Russak was on the Peiping sponsoring committee; was she not?

Mr. UPHAUS. As far as I know, she was; yes.

Mr. ARENS. Was Paul Robeson on that sponsoring committee?

Mr. UPHAUS. I think he was.

Mr. ARENS. And did he participate with you in encouraging these people to violate the passport regulations of this Nation?

Mr. UPHAUS. Well, the first half of the question is clear. He cooperated in encouraging people to go to the congress. I don't know what was in his mind as to his motive. You are writing motive into his mind.

Mr. ARENS. Did he encourage people to go to the conference in violation of the State Department regulations?

Mr. UPHAUS. He encouraged people to go to the congress. I can't state his motive. I don't know what his motive was.

Mr. ARENS. But your motive was to send him, in spite of the State Department's regulations?

Mr. UPHAUS. I thought that was my highest duty.

Mr. ARENS. To your knowledge what persons did go to the Vienna conference?

Mr. UPHAUS. I honestly don't believe I can recall the names today.

Mr. SCHERER. Doctor, you believe in following only such laws of this land as fit into your idea of what is right? I understand that from all of your testimony. You are only going to follow those laws and regulations which you believe to be right?

Mr. UPHAUS. Do you know the history of the formation of the Christian Church? That the people were thrown to lions because of their convictions?

Mr. SCHERER. That is not my question. My question is, Doctor: I gather from all of your testimony here today, and you have said it over and over again, that you are only going to follow the laws of this country that you feel are consistent with your own personal beliefs of what is basically right?

Mr. UPHAUS. But look. You have drawn the wrong picture. This is one law—I suppose I am a good citizen in a thousand laws. Once in a while there is one; yes, sir.

Mr. SCHERER. That you do not believe is right?

Mr. UPHAUS. My conscience sometimes contravenes a statute.

Mr. SCHERER. All right. And when your conscience contravenes that statute, you violate the statute, irrespective of the fact that it is the law of this land.

Mr. UPHAUS. That generalization can't be made here.

Mr. SCHERER. That is what all of your testimony indicates. And I am shocked and surprised that a member of the Christian Church should make such a statement under oath before a congressional committee. It is almost unbelievable.

Mr. UPHAUS. May I read something please?

Mr. ARENS. If you are going to read something, read from the Psalm of David:

Blessed is the man that walketh not in the counsel of the ungodly nor standeth in the way of sinners, nor sitteth in the seat of the scornful.

Mr. UPHAUS. I want to read something from the life of Jesus.

The CHAIRMAN. No; we have gone far enough here.

Mr. UPHAUS. Jesus stood before Pilate, and He didn't answer a single question when He was asked.

The CHAIRMAN. I hope that you won't inject this.

Mr. UPHAUS. Why not this? Our Nation is founded upon this book.

The CHAIRMAN. I understand all that. But coming from this source, I just do not like it.

Mr. UPHAUS. From this source, this book?

The CHAIRMAN. No. I am talking about you.

Mr. UPHAUS. This book has—

Mr. ARENS. Now would you tell us whether or not after the Peiping and Vienna Conferences you participated as head of the American Peace Crusade out in Chicago, in a meeting at which you were the recipient of gifts sent from the Vienna Peace Conference and from the Peiping Peace Conference?

Mr. UPHAUS. I think we were the recipients; yes.

Mr. ARENS. That is, you individually received a gift from the Vienna Peace Conference and a gift from the Peiping Peace Conference; is that correct?

Mr. UPHAUS. I think I was on the platform, and I personally received a beautiful gift from the Peiping Peace Conference.

Mr. ARENS. And who presented you with that gift?

Mr. UPHAUS. Well, the lady from California that you mentioned a while ago.

Mr. ARENS. And what was her name?

Mr. UPHAUS. Well, I would recognize it, but I can't say now.

Mr. ARENS. Was that Minnie R. Carter?

Mr. UPHAUS. No.

Mr. ARENS. Isobel Cerney?

Mr. UPHAUS. That is right.

Mr. ARENS. And she had been in attendance at the Peiping Peace Conference?

Mr. UPHAUS. That is right.

Mr. ARENS. And did you have a conversation with Isobel Cerney in Chicago?

Mr. UPHAUS. It would be very likely that I did, I am sure.

Mr. ARENS. And did she tell you whether or not she had gone out to the Peiping Peace Congress in violation of the law of this Nation?

Mr. UPHAUS. She did not tell me anything like that.

Mr. ARENS. Did you inquire whether she had been in attendance at the Peiping Peace Congress in violation of the law of this Nation?

Mr. UPHAUS. I knew that she had been to the peace congress.

I still want to read from the Bible. May I read this?

Mr. ARENS. In 1950 did you make a speech in a meeting at Greenwich Village as executive secretary of the National Religion and Labor Foundation? Do you have a recollection of doing that?

Mr. UPHAUS. What was the date?

Mr. ARENS. June of 1950.

Mr. UPHAUS. It is possible that I did. I do not recall it.

Mr. ARENS. And in that speech did you say, among other things: "Why should we, with our tradition of 1776, frustrate normal revolutions of the world with our money?"—with reference to the war in Korea.

Mr. UPHAUS. Well, I think I said that. I meant that we shouldn't interfere with the people's revolution there. They had the same right that we had in 1776.

Mr. ARENS. Did you not at that time impress upon your audience your conviction that the Communist aggression in Korea was just a normal revolution of patriotic people such as the revolution of 1776 in this Nation; is that correct?

Mr. UPHAUS. Your question presupposes some history that isn't there. I can't answer it, because the presupposition is wholly different. I still want to read about Jesus before Pilate.

The CHAIRMAN. I certainly hope you don't put yourself in that position.

Mr. UPHAUS. He didn't answer a single question, when He was——

Mr. ARENS. Well, He wasn't asked whether He was hooked up with the Communist conspiracy. And He was divine.

Did you in 1951 have a conference with the second secretary of the Soviet Embassy here in Washington? Do you recall? A conference with Jerome White Davis?

Mr. UPHAUS. I do not recall that. I don't think I did. I don't recall a name like that. I had conferences, but not with this gentleman.

Mr. ARENS. Were you also appointed to the World Peace Council?

Mr. UPHAUS. Do you mean a member of the council?

Mr. ARENS. Yes.

Mr. UPHAUS. Yes.

Mr. ARENS. Do you know that the World Peace Council and its parent organization have been cited as arms of the international Communist conspiracy?

Mr. UPHAUS. Yes; I know that.

Mr. ARENS. Did you in 1952 participate in a little pressure move toward the Brazilian Government, which was trying to preclude a Communist-inspired peace conference to be held in Rio?

Mr. UPHAUS. Well, I was interested in the conference. "Pressure" is the wrong word. I didn't make any pressure.

Mr. ARENS. What did you do toward making representations to the Brazilian Government respecting the action of that Government on this proposed peace conference?

Mr. UPHAUS. I don't recall any action in relation to the Government. I was simply interested in the meeting that was to have been held.

Mr. ARENS. Did you register a protest to the Brazilian consulate respecting the action of the Government of Brazil in trying to forestall this peace conference?

Mr. UPHAUS. I did.

Mr. RABINOWITZ. Do you have much longer?

Mr. ARENS. About 15 minutes.

Mr. RABINOWITZ. Can we have a 5-minute recess?

Mr. ARENS. Perhaps another 5 minutes, and we will be through. Do you know a person by the name of William Wallace?

Mr. UPHAUS. Well, he was here this morning.

Mr. ARENS. Did you ever see him before?

Mr. UPHAUS. Yes.

Mr. ARENS. What was the occasion for your seeing him before?

Mr. UPHAUS. Well, I think the only occasion I can remember is when he came to the resident board meetings of the American Peace Crusade.

Mr. ARENS. He testified this morning that this American Peace Crusade of which you were head—

Mr. UPHAUS. I was codirector.

Mr. ARENS. Of which you were director or codirector, was controlled, he testified, lock, stock, and barrel by the Communist Party.

Mr. UPHAUS. I disagree with his testimony.

Mr. ARENS. He testified that he, at the time he was participating in it, was a member of the Communist conspiracy.

Mr. UPHAUS. That may be true.

Mr. ARENS. Did you know that?

Mr. UPHAUS. I didn't know what his political connections were when he came to the meetings.

Mr. ARENS. Did you circulate among the people you know a letter suggesting that steps be taken to preclude the United States from the use of bacteriological warfare in Korea?

Mr. UPHAUS. May I see the document?

Mr. ARENS. Do you have a recollection of sending such a document around?

Mr. UPHAUS. There was a document that had something to do with the question, but I don't know exactly what it said.

Mr. ARENS. Do you know a man by the name of Dr. James G. Endicott?

Mr. UPHAUS. Yes.

Mr. ARENS. And who is he?

Mr. UPHAUS. He is a former missionary in China.

Mr. ARENS. And what did he do that was of particular concern to you on your peace partisan work?

Mr. UPHAUS. Well, we had been friends in the peace movement for years.

Mr. ARENS. He went to Korea, did he not? He went to Red China?

Mr. UPHAUS. I think so.

Mr. ARENS. And he came back with a propaganda statement to the effect that the United States was using bacteriological warfare, did he not?

Mr. UPHAUS. You say it is propaganda. He didn't think so.

Mr. ARENS. Well, did he come back with a statement to the effect that he had made a study and investigation over there in the Far East, and that the Government of the United States was engaged in bacteriological warfare? Isn't that the essence of what he said?

Mr. UPHAUS. After much investigation, he came to that conclusion, yes.

Mr. ARENS. And did you circularize his findings and conclusions among your peace partisans?

Mr. UPHAUS. I did not. We said something about that, but it had no relationship—

Mr. ARENS. Didn't you say that Dr. Endicott believes there is indisputable evidence that American Armed Forces are guilty?

Mr. UPHAUS. That is right. I recall it. I recall it.

Mr. ARENS. And did you circularize that among your friends and acquaintances in this peace movement of which you were executive—whatever you were—codirector?

Mr. UPHAUS. May I see that?

Mr. ARENS. Will you just tell us whether or not you did?

Mr. UPHAUS. I think letters were sent out quoting—

Mr. ARENS. By whom?

Mr. UPHAUS. I think I signed it.

The CHAIRMAN. You think that making a charge of that sort contributed anything toward the world peace?

Mr. UPHAUS. I don't think I categorically charged our country.

Mr. SCHERER. What did you say?

Mr. UPHAUS. I did not categorically charge our country.

Mr. SCHERER. Let me ask a question, counsel.

Was this circulated during the time we were at war in Korea?

Mr. ARENS. Yes, sir, 1952.

Mr. SCHERER. Didn't you consider circulating such a thing during a time when we were at war as giving aid and comfort to the enemy?

Mr. UPHAUS. Oh, not at all. Any measure for peace is far above that.

Mr. SCHERER. Do you think that was a measure for peace, circulating a memorandum such as you admit you circularized, to the effect that the United States was engaged in germ warfare?

Mr. UPHAUS. When you work for world peace, you have to recognize the horrors of war regardless of who commits them.

The CHAIRMAN. Regardless of whether it is true or false?

Mr. UPHAUS. No, sir.

Mr. SCHERER. Even if the description of such horrors as you say existed hurt the United States, you would still feel that you should circulate that material?

Mr. UPHAUS. I don't see the relevance. It would not hurt the United States to raise the question as to whether that kind of warfare was used.

Mr. SCHERER. You do not think that hurt the United States?

Mr. UPHAUS. I don't think so.

Mr. SCHERER. Was that not one of the greatest weapons that the Communist conspiracy used against the United States in the councils of the world, namely, charging the United States with using germ warfare in Korea?

Mr. UPHAUS. There were charges.

Mr. SCHERER. Was that not one of the greatest weapons used? And when you joined with the Communist conspiracy——

Mr. UPHAUS. I did not join with the Communist conspiracy.

Mr. SCHERER. When you joined with the enemies of this country——

Mr. UPHAUS. I did not join with the enemies.

Mr. SCHERER. When you joined with the enemies of this country and gave vent to those charges at a time such as that, when we were engaged in war, were you not giving aid and comfort to the enemy in time of war?

Mr. UPHAUS. I deny what you said. I never joined with the enemy.

Mr. SCHERER. Just a minute. Didn't you join with the enemy in making that assertion?

Mr. UPHAUS. Would it be joining the enemy if I deplored the atomic bomb and the napalm bomb on innocent people?

The CHAIRMAN. No, it would not. But you were in effect joining with the people who were making the false charges that your country, or at least the United States, was engaged in germ warfare.

Mr. UPHAUS. Can I not make that as a responsible person, regardless——

The CHAIRMAN. A responsible person would not make that charge, because it was not true.

Mr. UPHAUS. That is still subject to research.

Mr. SCHERER. Even if it had been true and you did that at that time, at a time when we were engaged in war, and that charge gave comfort and aid to the enemy in time of war, which it certainly did, is that not under our Constitution treason?

Mr. UPHAUS. I don't think so.

Mr. SCHERER. Even if it is true?

Mr. UPHAUS. I don't think so. Freedom of thought and freedom of expression is never treason under our Constitution.

The CHAIRMAN. Well, I would not go into a theater and start yelling "fire," if I were you, to find out something about freedom of speech.

Mr. UPHAUS. That is not the proper analogy.

Mr. ARENS. Did you join in 1953 in protesting to the Attorney General, to the Department of Justice, the proceedings which he was instituting under the Internal Security Act to cause the American Committee for Protection of Foreign Born in a judicial proceeding pursuant to law to be investigated to ascertain whether or not it was a subversive organization?

Mr. UPHAUS. I was under the firm conviction that it was not and has not been a subversive organization. Therefore I opposed the Attorney General's position in it.

Mr. ARENS. Then how did you arrive at the conclusion that the American Committee for Protection of Foreign Born was not a subversive organization?

Mr. UPHAUS. By the specific things that it stood for and did, and no other things.

Mr. ARENS. All right, sir. Did you at that time undertake to make an ascertainment, and did you have available for ascertainment, the Communist Party affiliation of the people who ran the American Committee for Protection of Foreign Born?

Mr. UPHAUS. I did not. I was interested in what that committee was here to do to serve the American people. That was my answer, sir.

Mr. ARENS. Well, did you, in the process of making that appraisal, look behind the facade of the American Committee for Protection of Foreign Born to ascertain whether or not it was living up to these glorious objectives, or whether or not it was controlled by the arm of the international Communist conspiracy?

Mr. UPHAUS. I was satisfied that it was not controlled by an international arm.

Mr. ARENS. How did you reach that conclusion?

Mr. UPHAUS. Because there was no conspiracy about it.

Mr. ARENS. How did you know that the members of the American Committee for Protection of Foreign Born who ran it were not members of the Communist conspiracy?

Mr. UPHAUS. I just didn't know.

Mr. ARENS. If you did not know, then how could you reach a conclusion that the American Committee for Protection of Foreign Born was not foreign controlled?

Mr. UPHAUS. First of all, we have to agree on whether or not there is a conspiracy. Your whole assumption is that there is. Therefore, we can't make headway.

Mr. ARENS. You do not agree that there is a Communist conspiracy?

Mr. UPHAUS. Not to start an aggressive war and to overthrow this Government. I don't believe it.

Mr. ARENS. How did you reach the conclusion in your own mind that the American Committee for Protection of Foreign Born should not be investigated pursuant to law?

Mr. UPHAUS. Because it had done nothing that was harmful to the people.

Mr. ARENS. How did you know that the members of the American Committee for Protection of Foreign Born who ran it were not Communists?

Mr. UPHAUS. I didn't know. I was interested in what the committee did.

Mr. ARENS. Well, if you did not know whether the American Committee for Protection of Foreign Born was controlled by Communists, how could you then in good conscience protest to the Attorney General his investigation of it to ascertain whether or not it was controlled by the Communists?

Mr. UPHAUS. That was my own judgment after thought and studying its activities. It was the general program of the Department of Justice to harangue groups with which it disagreed.

Mr. ARENS. And how did you arrive at that conclusion?

Mr. UPHAUS. Just by reading and studying and being intelligent, I think.

Mr. ARENS. Did you know that a committee of the Congress after careful investigation of the American Committee for Protection of Foreign Born, after listening to the testimony of witnesses who served their country in the conspiracy to get information, found that the American Committee for Protection of Foreign Born was an arm of the international Communist conspiracy?

Mr. UPHAUS. Has any court found that that is true?

Mr. ARENS. Just answer that question. Did you know that the committees of the Congress have found that the American Committee for Protection of Foreign Born was Communist controlled?

Mr. UPHAUS. I think that was a pronouncement of the Congress.

Mr. ARENS. Did you know that the proceeding which you protested was a proceeding which had court review?

Mr. UPHAUS. I think probably.

Mr. ARENS. Notwithstanding the fact that the proceeding which was instituted against the American Committee for Protection of Foreign Born to ascertain whether or not it was a Communist-controlled organization was a proceeding with court review, you nevertheless intervened and undertook to stop that proceeding; is that correct?

Mr. UPHAUS. Well, I protested. What I did, I don't know. I believed that its functions were legitimate.

Mr. ARENS. In 1952, did you participate in a Civil Rights Congress dinner to pay tribute to William L. Patterson, national executive secretary of the Civil Rights Congress?

Mr. UPHAUS. At the moment I don't recall.

Mr. ARENS. In March of 1952? I lay before you a photostatic copy of an article from the Daily Worker describing that conference, and ask you if that refreshes your recollection.

Mr. UPHAUS. It is a newspaper report, but I do not remember, really. I do not remember.

Mr. ARENS. Now, the Attorney General of the United States listed, after careful investigation, the American Peace Crusade as an organization that he wanted to have investigated by the Subversive Activities Control Board to ascertain whether or not it was Communist-controlled; did he not?

Mr. UPHAUS. I believe that is right.

Mr. ARENS. That is right; isn't it?

Mr. UPHAUS. That is right.

Mr. ARENS. After the Attorney General decided, pursuant to the law, to cause an investigation to be made of the American Peace Cru-

sade, what did you do as an American secretary of the American Peace Crusade, to undertake to avoid the law?

Mr. UPHAUS. Well, I think we protested and continued to carry on our work, as I remember.

Mr. ARENS. Well, now, did you call a meeting of the American Peace Crusade, or was a meeting held, for the purpose of dissolving the technical status of the American Peace Crusade as an entity?

Mr. UPHAUS. There was a meeting called to dissolve the crusade. That is right.

Mr. ARENS. And was it decided at that meeting in which you participated that they would dissolve the organization technically but go on actually?

Mr. UPHAUS. No, sir. What do you mean? In another organization, or 1 by 1 to work for peace in other ways? What do you mean?

Mr. ARENS. Just tell us if this meeting which was held after the Attorney General decided that they would look into the American Peace Crusade—

Mr. UPHAUS. We decided to disband, and I said, and I suppose others said, Willard Uphaus will work for peace in other channels then.

Mr. ARENS. And what caused you to want to disband?

Mr. UPHAUS. Well, there is an end to what you can suffer at the hands of your Government.

Mr. ARENS. All the Government was doing at that time, was it not, was just going to study the American Peace Crusade and decide whether or not it was Communist-controlled?

Mr. UPHAUS. Well, I have my own convictions about whether or not it was or not.

Mr. ARENS. Did the American Peace Crusade in fact disband?

Mr. UPHAUS. As far as I know it disbanded, sir.

Mr. ARENS. Who suggested the dissolution or disbandment of the American Peace Crusade?

Mr. UPHAUS. I think Dr. France possibly was the counsel to suggest that.

Mr. ARENS. And why did he suggest the disbandment of the American Peace Crusade?

Mr. UPHAUS. I don't believe I can speak for him.

Mr. ARENS. Well, what did he say that caused you to participate in this abandonment proceeding?

Mr. UPHAUS. I do not recall what he said.

Mr. ARENS. Who was present at the meeting or session at which it was decided to disband the American Peace Crusade because the Attorney General was going to file a petition or had filed a petition against the organization before the Subversive Activities Control Board?

(The witness conferred with his counsel.)

Mr. RABINOWITZ. Mr. Chairman, can we have a 5-minute recess? The witness is quite tired, and so am I.

The CHAIRMAN. Yes. The committee will stand in recess for 5 minutes.

(Short recess.)

The CHAIRMAN. The committee will be in order.

Mr. RABINOWITZ. He wants to reopen something. I spoke to the chairman about it.

Mr. UPHAUS. All I want to do is give you two documents which give the names of that committee and the resident board members of the crusade. That is a matter of record.

Mr. ARENS. We thank you for these documents.

Mr. RABINOWITZ. That is in response to the question that the witness previously declined to answer, and concerning which there was a direction from the Chair.

Mr. SCHERER. Is it in response to that question where I said that I thought his refusal to answer placed him in contempt of this committee?

Mr. RABINOWITZ. Yes, sir. That is the Vienna conference. The full and official name apparently was United States Sponsoring Committee for Representation at the Congress of the Peoples for Peace. This document which Dr. Uphaus has just presented is a letterhead of the committee.

Mr. ARENS. Doctor, inviting your attention to the American Peace Crusade dissolution meeting which I understand was held in August 1955; were you in attendance at that meeting?

Mr. UPHAUS. Yes; I was present.

Mr. ARENS. Where was that meeting held?

Mr. UPHAUS. Well, it was held in Manhattan. I have forgotten the exact address.

Mr. ARENS. And who were in attendance at that meeting?

Mr. UPHAUS. Dr. France was there as I recall. I was there. Mr. Richardson was there.

Mr. ARENS. Was Mary Russak there?

Mr. UPHAUS. I believe she was there.

Mr. ARENS. Did you know that she has been identified under oath as a member of the Communist Party?

Mr. UPHAUS. No; I did not know that.

Mr. ARENS. Was Betty Haufrecht there?

Mr. UPHAUS. Yes.

Mr. ARENS. Do you know she has been identified as a member of the Communist Party?

Mr. UPHAUS. No.

Mr. ARENS. Was Jessica Smith there?

Mr. UPHAUS. No; I don't believe she was.

Mr. ARENS. Was she a force, a moving force, in the American Peace Crusade?

Mr. UPHAUS. I wouldn't say so; no. I saw very little of her.

Mr. ARENS. Was Tina Ludens there?

Mr. UPHAUS. I do not recall. I don't have any picture. When you say the name, I don't know whether she was there or not.

Mr. ARENS. Was Eslanda Robeson there?

Mr. UPHAUS. I think maybe she was.

Mr. ARENS. She is the wife of Paul Robeson; is she not?

Mr. UPHAUS. That is right.

Mr. ARENS. Was Karen Morley there?

Mr. UPHAUS. Well, I don't have a clear picture, a clear memory.

Mr. ARENS. Was Mark Tarail there?

Mr. UPHAUS. I don't have a clear memory about that.

Mr. ARENS. Was Anita or Henry Willcox there?

Mr. UPHAUS. I don't believe they were.

Mr. ARENS. And was a motion put to dissolve the organization?

Mr. UPHAUS. That is right.

Mr. ARENS. Is or was the American Peace Crusade a corporation?

Mr. UPHAUS. I believe there were articles of incorporation. I am not sure.

Mr. ARENS. Was a formal motion offered and carried to dissolve the organization?

Mr. UPHAUS. That is right.

Mr. ARENS. Did the people who were in attendance constitute a quorum of the board of directors of the American Peace Crusade?

Mr. UPHAUS. Well, I should think so. Not the members, you see. It was a question of the representation from the resident board, not the total constituency.

Mr. ARENS. Were you at that time an employee of the board?

Mr. UPHAUS. No.

Mr. ARENS. You did not receive compensation for your work?

Mr. UPHAUS. Oh, you mean at the time of dissolution?

Mr. ARENS. Yes, sir.

Mr. UPHAUS. No. I was no longer employer by the crusade at that time.

Mr. ARENS. Did you at that time hold an official position with the board?

Mr. UPHAUS. I just was a resident member of the board. A member of the resident board, to be exact.

Mr. ARENS. What was your livelihood or occupation at the time of the dissolution of the American Peace Crusade?

Mr. UPHAUS. I was then a director of World Fellowship, Incorporated.

Mr. ARENS. Are there any persons who are or were members of the American Peace Crusade who are presently directors of this World Fellowship group with which you are now identified?

Mr. UPHAUS. Well, Dr. France was the attorney for the crusade, and he is one of the members of our council. I think that is the only one that I can think of now.

Mr. ARENS. And do you have with you a letterhead of the World Fellowship group, with which you are presently identified?

Mr. UPHAUS. No; I do not.

Mr. ARENS. Can you tell us the principal members of the board of the World Fellowship group?

Mr. UPHAUS. I am sorry. I didn't bring the letterhead.

Mr. ARENS. Well, is Mary Russak on the board?

Mr. UPHAUS. No.

Mr. ARENS. Is Jessica Smith on the board?

Mr. UPHAUS. No.

Mr. ARENS. Is Karen Morley on the board?

Mr. UPHAUS. No.

Mr. ARENS. Is Betty Haufrecht on the board?

Mr. UPHAUS. No. They are mainly clergymen or educators.

Mr. ARENS. Has Mary Russak anything to do with the World Fellowship group?

Mr. UPHAUS. Well, she is I think a friend of World Fellowship.

Mr. ARENS. Does she participate in the activities of World Fellowship?

Mr. UPHAUS. She came up for a vacation.

Mr. ARENS. And when was that?

Mr. UPHAUS. Last summer.

Mr. ARENS. Did she address the World Fellowship group?

Mr. UPHAUS. I think she spoke once, yes.

Mr. ARENS. Did you know at that time that she was identified as a member of the Communist Party?

Mr. UPHAUS. I did not.

Mr. ARENS. It wouldn't have made any difference if she had been, would it?

Mr. UPHAUS. If she was discussing the question of peace and not discussing politics, it would be perfectly all right.

Mr. ARENS. Does William Hunton have an identification with the World Fellowship?

Mr. UPHAUS. That is right.

Mr. ARENS. Has he ever come up and addressed the members of the organization?

Mr. UPHAUS. Yes.

Mr. ARENS. And when was he last there?

Mr. UPHAUS. I think last summer.

Mr. ARENS. Do you know that William Hunton has been identified as a member of the Communist Party?

Mr. UPHAUS. I don't think I have ever read any official notice.

Mr. ARENS. And it wouldn't make any difference to you whether he had been, would it?

Mr. UPHAUS. No, sir.

The CHAIRMAN. You know, of course, that in recent months an attempt has been made and is still being made to discredit Stalin, by the Russians and other Communists?

Mr. UPHAUS. Yes.

The CHAIRMAN. And among other things, an attempt is being made to show that these charges of germ warfare were false and were conjured up by this wicked man, Stalin. You know that?

Mr. UPHAUS. I don't know, sir, where the charge started, I can't answer that at all.

The CHAIRMAN. Would you change your position with respect to the charges you made concerning germ warfare if the Communist line changed in that regard?

Mr. UPHAUS. I would reach my judgment, sir, on the basis of all the documentation that I could lay my hands on, regardless of its political source, whether it be Republican or Communist.

The CHAIRMAN. Well, one certainly does not speak of the Republicans and the Communists in the same context.

Mr. UPHAUS. We are all human beings, sir. We are all children of God. They are to be loved just as well as all other people.

Mr. ARENS. We have no further questions, Mr. Chairman, of this witness.

The CHAIRMAN. The committee stands adjourned, to meet tomorrow at 10 o'clock.

(Whereupon, at 4:18 p. m. Wednesday, May 23, a recess was taken until 10 a. m. Thursday, May 24, 1956.)

INVESTIGATION OF THE UNAUTHORIZED USE OF UNITED STATES PASSPORTS—PART 2

HEARINGS BEFORE THE COMMITTEE ON UN-AMERICAN ACTIVITIES HOUSE OF REPRESENTATIVES EIGHTY-FOURTH CONGRESS SECOND SESSION

MAY 24 AND 25, 1956

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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress (1946), chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.
(A) Un-American Activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time, investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 84TH CONGRESS

House Resolution 5, January 5, 1955

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress :

* * * * *

- (q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

- (a) Un-American Activities.

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INVESTIGATION OF THE UNAUTHORIZED USE OF UNITED STATES PASSPORTS—PART 2

THURSDAY, MAY 24, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

The Committee on Un-American Activities reconvened, pursuant to recess, at 10 a. m., in the caucus room of the Old House Office Building, Hon. Francis E. Walter (chairman) presiding.

Committee members present: Representatives Francis E. Walter of Pennsylvania (chairman), Morgan M. Moulder of Missouri, James B. Frazier, Jr., of Tennessee, Bernard W. Kearney of New York, and Gordon H. Scherer of Ohio.

Staff members present: Richard Arens, director, and Donald T. Appell, investigator.

The CHAIRMAN. The committee will be in order.

Call your first witness, please, Mr. Arens.

Mr. ARENS. Louis Wheaton, please.

Please remain standing while the chairman administers an oath to you.

The CHAIRMAN. Raise your right hand, please. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WHEATON. I do.

Mr. ARENS. Have a seat, please.

TESTIMONY OF LOUIS WHEATON

Mr. ARENS. Will you please identify yourself by name, residence, and occupation?

Mr. WHEATON. My name is Louis Wheaton. I live at 610 West 143d Street, New York City. I am a typist.

Mr. ARENS. Where are you employed?

Mr. WHEATON. Palmer & Oliver, Inc.

Mr. ARENS. Can you tell us the nature of that firm?

Mr. WHEATON. It is a printing firm.

Mr. ARENS. Are you appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. WHEATON. Yes.

Mr. ARENS. Is that a subpoena which requires you to produce before this committee certain documents? Do you have with you the documents which are required by this subpoena?

Mr. WHEATON. I do not have the documents.

Mr. ARENS. Why not?

Mr. WHEATON. Because they were picked up at the airport by the Customs, I suppose, or whoever is in charge, the State Department officials, when I arrived in the country in 1953.

Mr. ARENS. Did the subpoena require production of all passports issued to you and any travel documents in connection with travel outside the continental limits?

Mr. WHEATON. That is right.

Mr. ARENS. You do not have those in your custody or possession?

Mr. WHEATON. I do not.

Mr. ARENS. They are in the custody to your knowledge of either the Customs officials or the State Department. That is correct, is it not?

Mr. WHEATON. That is correct.

Mr. ARENS. Will you please give us just a sketch of your early life? When and where were you born?

Mr. WHEATON. I was born in Jacksonville, Fla., March 18, 1918.

Mr. ARENS. And a word please, about your education?

Mr. WHEATON. I graduated from grammar school, high school, college, and postgraduation.

Mr. ARENS. Where did you take your college work?

Mr. WHEATON. At Florida A. & M. College.

Mr. ARENS. Did that complete your college work?

Mr. WHEATON. Yes, that did.

Mr. ARENS. What was your postgraduate work?

Mr. WHEATON. My postgraduate work was law.

Mr. ARENS. Where?

Mr. WHEATON. Fordham University.

Mr. ARENS. Did you complete that course?

Mr. WHEATON. That course was completed.

Mr. ARENS. Did you receive a degree?

Mr. WHEATON. I did receive a degree.

Mr. ARENS. An LL. B. degree?

Mr. WHEATON. An LL. B. degree.

Mr. ARENS. When was that?

Mr. WHEATON. 1950.

Mr. ARENS. Are you admitted to the practice of law in any State?

Mr. WHEATON. No.

Mr. ARENS. Your undergraduate degree was in what, please?

Mr. WHEATON. It was in mathematics and science.

Mr. ARENS. Give us, if you please, a brief résumé of the employment in which you have engaged since completion of your formal education.

Mr. WHEATON. On the basis of my right under the first amendment, and also my privilege under the fifth amendment and not to be a witness against myself, I will not answer that question.

Mr. SCHERER. Pardon me just a minute. What was that question?

Mr. ARENS. As to the employment in which he has engaged since the completion of his formal education.

Do you honestly apprehend, honestly fear in your heart, that if you told this committee the employment in which you have been engaged, beginning upon the completion of your formal education, you would be supplying information which could be used against you in a criminal proceeding?

Mr. WHEATON. I abide by my original statement.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question, so that this record will not reflect any indication that the fifth amendment is being used capriciously or facetiously.

The CHAIRMAN. Yes. I direct you to answer the question.

Mr. WHEATON. I abide by my original answer.

Mr. ARENS. Tell us how long you have been engaged in your present employment?

Mr. WHEATON. What do you mean by that question? I don't quite follow you.

Mr. ARENS. When did you get your present job?

Mr. WHEATON. Oh. In March of 1956.

Mr. ARENS. In March of 1956. Have you held that continuously until the present time?

Mr. WHEATON. That is right.

Mr. ARENS. What job did you have immediately prior to the job you presently hold?

Mr. WHEATON. I refuse to answer that question on the same ground that I gave before.

Mr. ARENS. Is there any employment in which you have been engaged prior to the job which you presently occupy which, if you would tell the committee about it, you would not be supplying information which could be used against you in a criminal proceeding?

Mr. WHEATON. I abide by the same answer I gave before.

Mr. ARENS. Have you ever made application for a United States passport?

Mr. WHEATON. Yes.

Mr. ARENS. When was that?

Mr. WHEATON. In 1950.

Mr. ARENS. I lay before you a photostatic copy of a document entitled "Department of State Passport Application," on which appears on the last page of this form a signature, Louis Wheaton, and ask you whether or not you recognize that document and whether or not that is a correct and true reproduction of the passport application which you made?

Mr. WHEATON. Yes, I recognize it.

Mr. ARENS. The date on this passport application is in March of 1950, is it not?

Mr. WHEATON. Yes. That is what it says.

Mr. ARENS. Is that the first and only passport application which you made?

Mr. WHEATON. Yes.

Mr. ARENS. Mr. Chairman, I respectfully suggest this document referred to be marked "Wheaton Exhibit No. 1" and incorporated by reference in the record at this point, for retention in the files of the committee.

The CHAIRMAN. Let it be so incorporated.

(Wheaton exhibit No. 1 was incorporated by reference as a part of the record and retained in the files of the committee.)

Mr. ARENS. Now I invite attention to that part of the passport application which describes the purpose of the trip to be made by the applicant, in this case yourself:

Study at University of Geneva in pursuit of doctorate in international law.

Was that the purpose of the trip you proposed to make in 1950?

Mr. WHEATON. That is right.

Mr. ARENS. Was that the exclusive purpose of the trip?

Mr. WHEATON. Exclusive.

Mr. ARENS. Did you receive a passport and make a trip?

Mr. WHEATON. I received a passport and made a trip.

Mr. ARENS. I lay before you a document which I have marked "Wheaton Exhibit No. 2," which is a photostatic copy of a passport, and ask you if that is the passport which you received pursuant to the application which has been identified as Wheaton Exhibit No. 1?

Mr. WHEATON. May I examine it?

Mr. ARENS. Yes, certainly.

Mr. WHEATON. That is correct.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this document "Wheaton Exhibit No. 2" be incorporated by reference in the record and retained in the committee files.

The CHAIRMAN. It may be so incorporated.

(Wheaton exhibit No. 2 was incorporated by reference as a part of the record and retained in the files of the committee.)

Mr. ARENS. Where did you go when you made the trip pursuant to the application which you filed with the Department of State in March of 1950 upon which the passport was issued to you?

Mr. WHEATON. I went to France.

Mr. ARENS. Is there any place else you went?

Mr. WHEATON. On the basis of my previous answer, I use the fifth amendment.

Mr. SCHERER. Pardon just a minute. I ask that the chairman direct him to answer that question, because, first, he is not invoking the fifth amendment properly in my opinion. If, on the other hand, my opinion is wrong, and he is properly invoking the fifth amendment, then he has waived that privilege by his previous answers to counsel when he stated his exclusive purpose was to go to the school at Geneva.

The CHAIRMAN. You are directed to answer the question.

Mr. WHEATON. I abide by my original answer.

Mr. ARENS. When did you leave the United States?

Mr. WHEATON. When did I leave the United States?

Mr. ARENS. To make this trip, to make your trip where you wound up in France—when did you leave the United States?

Mr. WHEATON. I don't remember the exact date.

Mr. ARENS. Was it in March, 1950?

Mr. WHEATON. No, it wasn't in March. That much I am certain.

Mr. ARENS. How much longer after March 1950 was it?

Mr. WHEATON. Probably in the summer.

Mr. ARENS. You would say June or July of 1950?

Mr. WHEATON. Perhaps.

Mr. ARENS. How did you get to France?

Mr. WHEATON. By boat.

Mr. ARENS. What boat did you take?

Mr. WHEATON. The *Volendam*, I believe.

Mr. ARENS. And were you accompanied by anyone?

Mr. WHEATON. No.

Mr. ARENS. And where was your first place of arrival?

Mr. WHEATON. France.

Mr. ARENS. How long did you stay in France?

Mr. WHEATON. I went until November.

Mr. ARENS. And what did you do while you were in France?

Mr. WHEATON. I saw the sights, et cetera.

Mr. KEARNEY. Was that all?

Mr. WHEATON. That is all.

Mr. ARENS. Did you enroll at the University of Geneva?

Mr. WHEATON. No.

Mr. ARENS. Did you pursue any course of study in France?

Mr. WHEATON. No.

Mr. ARENS. And where did you go after you left France?

Mr. WHEATON. Home.

Mr. ARENS. Back to the United States?

Mr. WHEATON. That is right.

Mr. ARENS. Did you at any time get into any other country than France?

Mr. WHEATON. No.

Mr. ARENS. And who met you at your arrival at France?

Mr. WHEATON. No one.

Mr. ARENS. And what groups or organizations were you in contact with while you were in France?

Mr. WHEATON. None.

Mr. ARENS. Who paid your transportation?

Mr. WHEATON. I did.

Mr. ARENS. Did you at any time have contact with any organization in France which was known by you to be Communist controlled?

Mr. WHEATON. No.

Mr. SCHERER. Let me interrupt, Counsel. What was that question that he refused to answer before?

Mr. ARENS. Where else he went besides France. He apparently is answering it now, all right.

Then what did you do when you returned to the United States?

Mr. WHEATON. I refuse to answer that question, on the basis—the same basis.

Mr. ARENS. Did you again leave the country?

Mr. WHEATON. I refuse to answer that question, on the same basis.

Mr. ARENS. Did you apply for renewal of your passport?

Mr. WHEATON. I refuse to answer that question.

Mr. ARENS. I lay before you a document which is a photostatic copy of a Department of State passport renewal application, marked, "Wheaton Exhibit No. 3," on which appears the signature of Louis W. Wheaton, and ask you if that is your signature?

Mr. WHEATON. That is my signature.

Mr. ARENS. Mr. Chairman, I ask that the document marked "Wheaton Exhibit No. 3" be incorporated by reference in the record and retained in the committee files.

The CHAIRMAN. So incorporated.

(Wheaton exhibit No. 3 was incorporated by reference as a part of the record and retained in the files of the committee.)

Mr. ARENS. Did you make out this application?

Mr. WHEATON. I did.

Mr. ARENS. Then you did make a passport renewal application, did you not?

Mr. WHEATON. I only recognize the signature. I refuse to answer the question.

Mr. ARENS. Mr. Chairman, he has opened the door to an answer to that question by identifying this document as a document which bears his signature, which is a passport renewal application. I therefore ask that he be directed to answer the question.

The CHAIRMAN. I direct that you answer the question.

Mr. WHEATON. I abide by my original answer.

Mr. ARENS. Pursuant to this passport renewal application, I lay before you now the passport marked "Wheaton Exhibit No. 2" which you have heretofore identified, in which there appears a renewal stamp of August 28, 1952, and ask if you were at any time cognizant of that renewal stamp being incorporated or imposed on your passport?

Mr. WHEATON. I refuse to answer the question, on the basis of the fifth amendment.

Mr. ARENS. Did you subsequently take a trip pursuant to the renewal application to which you have identified your signature?

Mr. WHEATON. I will refuse to answer that question on the same basis.

Mr. SCHERER. Pardon just a minute. I perhaps should have been paying attention. The witness I understand has gotten an LL. B. degree?

Mr. ARENS. Yes. He is a lawyer.

On this renewal application to which you have identified your signature, there appears: "Countries to be visited: France and Italy, for 2 months." And the purpose of the trip is: "Vacation, to visit friends."

Did you take a trip either to France or Italy pursuant to the renewal application which you made and the renewal stamp which appears in your passport?

Mr. WHEATON. I will refuse to answer that question on the basis of the fifth amendment.

Mr. ARENS. I lay before you a document which is a photostatic copy of an article appearing in the Washington Evening Star, under date of September 27, 1952, entitled "Nine American Delegates Reported in Peiping for Peace Parleys."

I would like to read you part of this article to see if it might prompt your recollection:

The Chinese Communist radio has reported the arrival of nine United States "delegates" to the Red-sponsored Asian and Pacific Peace Conference. But it has given no indication that the meeting started as scheduled.

Peiping broadcasts monitored earlier this week by the Associated Press said the conference would open Friday in a building constructed in Peiping for the occasion.

Red propaganda organs have publicized the meeting continuously the past month. But yesterday's Peiping broadcasts did not say it had started.

Then the heading is: "No U. S. Passports Issued."

Instead, the arrival of the eighth and ninth Americans was reported. They were identified as Louis W. Wheaton, a machinist, and Harold A. Fletcher, economist.

The United States State Department does not issue passports for travel to Red China.

Were you, on September 27, 1952, in Peiping, China?

Mr. WHEATON. I refuse to answer that question, on the same ground.

Mr. ARENS. Would you kindly look at that article, excerpts from which I have just read, and tell us whether or not that refreshes your recollection as to any occurrence in your life in September 1952?

Mr. WHEATON. Same answer.

Mr. ARENS. Did you, in September of 1952, have cognizance of the fact that the Department of State was not issuing passports for travel to Red China?

Mr. WHEATON. Same answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this document to which I have just been referring be marked "Louis Wheaton Exhibit No. 4" and incorporated by reference in the record for retention in the committee files.

The CHAIRMAN. It may be so incorporated.

(Wheaton exhibit No. 4 was incorporated by reference as a part of the record and retained in the files of the committee.)

Mr. ARENS. I lay before you a document marked as "Wheaton Exhibit No. 5," which is a photostatic copy of intercepts of Communist broadcasts. These intercepts refer to delegates to the Peiping conference on October 3, 1952, including Louis W. Wheaton, United States of America, and ask you if you are the Louis W. Wheaton, United States of America referred to in those intercepts?

Mr. WHEATON. I refuse to answer that question on the basis of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this document marked "Wheaton Exhibit No. 5" be incorporated by reference in the record, and retained in the committee files.

The CHAIRMAN. Let it be so incorporated.

(Wheaton exhibit No. 5 was incorporated by reference as part of the record and retained in the files of the committee.)

Mr. ARENS. I lay before you another photostatic document, marked "Wheaton Exhibit No. 6," which is an account via radio intercepts of a meeting at Peiping, China, of October 6, 1952, in which it is stated:

The executive chairmen for the morning session were Louis Wheaton, United States; Leon Augustin Valladares, Nicaragua; Diego Montana Cuellar, Columbia; Sheik Mohamad Al Achmar, Lebanon and Syria; and Jacob Majus, Israel.

Are you the Louis Wheaton who was the executive chairman of the morning session of October 6, 1952, of the conference in Peiping?

Mr. WHEATON. I refuse to answer that question, on the basis of the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this document marked "Wheaton Exhibit No. 6" be incorporated by reference in the record and retained in the committee files.

The CHAIRMAN. It may be so incorporated.

(Wheaton exhibit No. 6 was incorporated by reference as part of the record and retained in the committee files.)

Mr. ARENS. Now I lay before you a photostatic copy of a document entitled "Louis Wheaton Report," intercepts. I should like to read to you excerpts from a speech monitored by—

Mr. SCHERER. What was the date of that speech?

Mr. ARENS. October 6, 1952, and credited to a Louis Wheaton of the United States.

Mr. SCHERER. October 6, 1952, our boys were fighting in Korea.

Mr. ARENS. I would like to read to you some of these intercepts, which are credited to a person identified in this document as Louis Wheaton.

To end the dangerous tension, it is necessary first of all to end the wars now being conducted with such horror and savagery. And here we wish to say (seriously) that what has been done in the name of our country—yes, without sufficient opposition from our people—against the people of Korea and China is an unspeakable shame before history and humanity.

Mr. SCHERER. "Unspeakable shame." Go ahead.

Mr. ARENS (reading) :

It stems in part from that racism and discrimination against the colored people who are part of us—that racism which is the cancer of American life. Korea has placed the mark of Cain upon us.

Did you make those observations and comments?

Mr. WHEATON. I will refuse to answer that question on the same ground.

Mr. SCHERER. Before you proceed, Mr. Counsel, would you read again that first statement? I am very much interested in that first statement.

Mr. ARENS. I would suggest that there are more implicit statements that will come along in just a minute.

Mr. SCHERER. That very first one there as to what the United States has done.

Mr. ARENS (reading) :

And here we wish to say (seriously) that what has been done in the name of our country—yes, without sufficient opposition from our people—against the people of Korea and China is an unspeakable shame before history and humanity.

Now, that is credited to a person identified in this intercept as Louis Wheaton. And I ask you if you are the Louis Wheaton to whom these statements are credited?

Mr. WHEATON. And I will refuse to answer that on the basis of the first and fifth amendments.

Mr. ARENS. Did you make these statements?

Mr. WHEATON. I refuse to answer on the same ground.

Mr. ARENS. I should like to read some more from this speech.

Mr. Wheaton, who is an American trade unionist active in the Negro Labor Council, declared that the absence of agreement among the Big Five was the cause of the great suffering of the people. "It is the threat of war among the great powers," he declared, "and the preparations for war carried out in the United States which menaces the democratic hopes of our peoples, which ransacks and distorts their economies and thwarts their political possibilities. To banish this threat requires agreement among the great powers, and it is in fighting for this agreement as well as for their right to determine their own national destinies that the peoples who border the Pacific from Canada to Chile, from Japan to Australia, are serving the interests of us all."

Did you make those statements?

Mr. WHEATON. I refuse to answer on the same ground.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the photostatic copy of the above intercepts I have just read marked "Wheaton Exhibit No. 7" be incorporated by reference in the record, and retained in the files of the committee.

The CHAIRMAN. Let it be so incorporated.

(Wheaton exhibit No. 7 was incorporated by reference as part of the record and retained in the files of the committee.)

The CHAIRMAN. To what trade union do you belong?

Mr. WHEATON. I don't belong to any at the moment.

The CHAIRMAN. You never did; did you?

Mr. WHEATON. I refuse to answer that question on the same ground.

The CHAIRMAN. You never belonged to a trade union; did you?

Mr. WHEATON. Sir, I refuse to answer on the basis of the fifth and the first amendments.

The CHAIRMAN. What crime do you think you could be charged with for belonging to a trade union?

Mr. WHEATON. I refuse to answer that question for the same reason, sir.

The CHAIRMAN. The fact of the matter is that this is a very thinly veiled attempt to impress people and to suggest to them that communism and unionism are synonymous; is it not?

Mr. WHEATON. I refuse to answer that question, sir.

Mr. ARENS. I should like to read to you excerpts from a document marked as "Wheaton Exhibit No. 8," for identification purposes only. These are Chinese international broadcasts in English, beamed all over the world, to all people, everywhere in the world, where they can receive English-language broadcasts: dated October 31, 1952, entitled "Recorded Talk by Louis W. Wheaton, From Peiping, China."

Mr. SCHERER. Again, just for the purpose of the record, in October 1952 we were at war.

Mr. ARENS (reading):

It is time that a few things be said to us, the people of the United States. The first-hand accounts of the conduct of our troops abroad are shocking. American troops' vicious and criminal behavior is absolutely horrible. These accounts were given by newspaper correspondents of many lands as well as by the Korean peace delegation to the conference. The people of Asia and the Pacific region are convinced that these accounts are true.

Just one of these incidents is enough to show the ruthless and inhuman behavior of our forces. In one village in Korea more than 300 children were put into one warehouse and their mothers in another nearby. Gasoline was poured around the warehouse where the children were and set fire. The mothers, hearing the screams of their children, broke down the door and windows. As they were trying to save their children these mothers were machinegunned by our troops.

A model worker was found with a certificate of merit for his work. United States soldiers slit his abdomen and shoved the certificate into his abdomen, stating that was the place to wear his badge of honor.

Now, I ask you: Are you the Louis Wheaton to whom these remarks are credited in this international English broadcast originating at Peiping, China, in October 1952?

Mr. WHEATON. I will refuse to answer it on the same grounds.

Mr. ARENS. Did you, Mr. Witness, make these comments in an international broadcast from Peiping, China, in October 1952?

Mr. WHEATON. I will refuse to answer on the same ground on the first and fifth amendments.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact that as the Congressman suggests, that while our boys were being shot in Korea with their hands tied behind their backs, you made this statement on an international broadcast from Peiping, China, in October of 1952?

Mr. WHEATON. My answer still stands.

Mr. SCHERER. Why, this man was guilty of treason, Counsel.

Mr. ARENS. Now, Mr. Witness, I lay before you a document, a People's China magazine article, in which Louis W. Wheaton has his picture, in a report on the five-power peace pact, in which this speech, excerpts from which I have just read appeared. And I ask you to look at that magazine article in which a picture appears. Tell us whether that is your photograph and whether you are the Louis Wheaton alluded to in the article as the author of this speech, excerpts from which I have just read?

Mr. WHEATON. I will refuse to answer that question.

The CHAIRMAN. Were you in the armed services?

Mr. WHEATON. I beg your pardon?

The CHAIRMAN. Were you in the armed services?

Mr. WHEATON. I was in the armed services in World War II.

Mr. ARENS. Where did you serve in the armed services?

Mr. WHEATON. In the United States.

Mr. ARENS. You mean to say that you will not tell this committee whether or not this is your photograph and this is the article you wrote, which appears in People's China?

Mr. WHEATON. I will refuse to answer that question, on the basis of the first and fifth amendments.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this article be incorporated by reference in the record as "Wheaton Exhibit No. 8" and retained in the committee files.

The CHAIRMAN. It may be so incorporated.

(Wheaton Exhibit No. 8 was incorporated by reference as part of the record.)

The CHAIRMAN. You served in the Armed Forces as an officer, I believe, did you not?

Mr. WHEATON. That is correct.

The CHAIRMAN. Were you placed in the Reserve after you were released from active duty?

Mr. WHEATON. I was on the Inactive Reserve.

Mr. SCHERER. I can't hear the witness with his glasses in his mouth.

The CHAIRMAN. Tell me this. Did you take some sort of an oath after you were released from active duty and placed in the Inactive Reserve?

Mr. WHEATON. I don't remember.

The CHAIRMAN. As a matter of fact, you swore that you were not a Communist, didn't you?

Mr. WHEATON. I will refuse to answer that question, on the basis of the first and fifth amendments.

The CHAIRMAN. Were you a Communist at the time—

Mr. WHEATON. I refuse to answer that question, on the basis of the first and fifth amendments.

The CHAIRMAN. Were you a Communist at the time you were placed on the Inactive Reserve list?

Mr. WHEATON. I will refuse to answer that question for the same reasons.

The CHAIRMAN. The fact of the matter is that you were a Communist when you went into the service; you were a Communist when you went into the Inactive Reserve, isn't that correct?

Mr. WHEATON. I will refuse to answer the question, on the same ground.

Mr. ARENS. I should like to read some more of this speech now, Mr. Chairman, if you please. I shall continue now, if the committee please, on the speech which was beamed to every English-speaking country in the world, from Peiping, China, October 31, 1952, and credited in this intercept to Louis W. Wheaton, leader of the United States delegation to the Asia and Pacific Peace Conference and here we go:

In spite of these atrocious crimes, the great and heroic Korean delegates extended the hand of love and friendship to the people of America. They state that they know the people of America are a peace-loving people, and it is not we who are responsible for these crimes. It is big business and the small clique of warmongers who are responsible.

I say to the people of the United States: We must stop this senseless killing, this brutal murder, and lynching. We must speak out and demand that this massacre be stopped now. We've still got time, and the people have faith in us. But we cannot expect this faith and desire for friendship to continue under our present policy. There must be a stop put to it, and now.

The people of Asia are watching us, they are united; they are also growing angry. The people of Latin America saw and heard and are convinced that these monstrous crimes are true. They feel the weight of the same oppression that the people of Asia are fighting. Yes, they too are moved and angry over the happenings in Korea.

Then continuing:

Friends of my dear, beloved country: More than half the world's population is convinced that the wars we are fighting in Asia are unjust and criminal. They are convinced on the evidence that we are using bacteriological warfare and jellied gasoline to burn defenseless women, children, and the aged.

I have seen the evidence on bacteriological warfare. I have studied the report of the International Scientific Commission. I say this evidence is damning. Our Government can no longer say it is not true. There must be a definitive answer to the charges and the evidence. We, the people, must demand to see and to hear this damning evidence. Our Bill of Rights gives us the right to know.

There are several reports by impartial groups that the rest of Europe and Asia have read and examined. There are films which they have seen. Yet we, who boast of freedom of press, radio, speech, and of assembly, have been denied the right to see and to hear this material.

Are you the Louis Wheaton to whom this speech is credited in this intercept of this worldwide broadcast to the English-speaking people of the world from Peiping, China, on October 31, 1952?

Mr. WHEATON. I will refuse to answer that question on the same ground.

Mr. ARENS. Did you see any evidence at any time in your life of bacteriological warfare by the Nation to which you owe allegiance, and which issued you a United States passport?

Mr. WHEATON. I will refuse to answer that question on the same ground.

The CHAIRMAN. Well, I direct you to answer the question.

Mr. WHEATON. I abide by my original answer.

Mr. ARENS. Did you see any evidence that the United States troops used jellied gasoline to burn defenseless women, children, and the aged?

Mr. WHEATON. I will refuse to answer that question, on the basis of the first and fifth amendments.

Mr. ARENS. Did you make a speech beamed to the English-speaking people of the world in which you made the assertions which I have just read from this international intercept broadcast?

Mr. WHEATON. The same answer abides.

Mr. ARENS. What same answer abides?

Mr. WHEATON. The first and fifth amendments. I will not answer the question on that ground.

Mr. ARENS. Are you now part and parcel of an international conspiracy designed to destroy the Constitution of the United States?

Mr. WHEATON. I will refuse to answer that question on the basis of the first and fifth amendments.

Mr. SCHIERER. Are you a member of the bar at this time?

Mr. WHEATON. I am not a member of the bar. I have never been a member of the bar.

Mr. ARENS. Did you ever learn that the United States troops in Korea corralled into a farmhouse 300 innocent children and poured gasoline on them and then set them afire?

Mr. WHEATON. I will refuse to answer that question, for the same reasons given before.

Mr. ARENS. Where were you when the United States boys were fighting and dying in Korea? Where were you?

Mr. WHEATON. I will refuse to answer that question.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that question.

The CHAIRMAN. You are directed to answer that question.

Mr. WHEATON. I abide by my original answer.

Mr. ARENS. Where were you in October of 1952?

Mr. WHEATON. I will not answer that question, for the same reasons.

Mr. ARENS. Were you in your native land in the United States of America in October of 1952?

Mr. WHEATON. I will not answer that question, for the same reasons.

Mr. ARENS. What was your employment in October of 1952?

Mr. WHEATON. I will not answer that question, for the same reasons.

Mr. ARENS. I put it to you as a fact, and ask you here under oath before the Government which issued you this passport, the Government to which you owe allegiance, to affirm or deny the fact, that you are the Louis Wheaton alluded to in these broadcasts and that you did make these statements in an international broadcast in 1952?

Mr. WHEATON. I again invoke the use of the fifth amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that part of this document from which I have just been reading be incorporated by reference in the record as Wheaton exhibit No. 9; and retained in the files of the committee.

The CHAIRMAN. It may be so incorporated.

(Wheaton exhibit No. 9 was incorporated as part of the record by reference.)

The CHAIRMAN. I am curious to know how he got into the Far East. Now, this is a renewal of a passport to go to Europe.

During the course of your visit in Europe, did you travel by air?

Mr. WHEATON. I will refuse to answer that question.

The CHAIRMAN. What crime do you think it is to travel in an airplane?

Mr. WHEATON. I will refuse to answer that question, on the basis of the fifth amendment.

The CHAIRMAN. I direct you to answer that question.

Mr. WHEATON. I abide by my original answer, sir.

Mr. ARENS. Have you betrayed your country?

Mr. WHEATON. I will refuse to answer that question, on the basis of the first and the fifth amendments.

Mr. ARENS. Just tell this committee: You are a lawyer, and you know what treason is under the constitutional laws. Have you committed treason?

Mr. WHEATON. I will refuse to answer that question, on the basis of the first and fifth amendments.

Mr. ARENS. I lay before you a document, a photostatic copy of the Daily Worker of April 6, 1953, marked for identification as "Wheaton Exhibit No. 10." I should like to allude, if the chairman please, to excerpts from that document. The headline is "Asian Peace Group Cables Clemency Plea."

It reads:

Warning that the electrocution of the Rosenbergs "can only reduce further the position of the United States Government in the minds of the people of the whole world," the Peace Liaison Committee of the Asian and Pacific Regions has cabled a plea for clemency from Peiping, China.

Then I will skip part of the article and read this:

The cable was signed by Louis A. Wheaton,¹ U. S. A., Deputy Secretary General of the Peace Liaison Committee of the Asian and Pacific Regions * * *.

I ask you to look at that document now and tell your Government, via this committee, whether you are the person alluded to in that article which we have identified as Wheaton exhibit No. 10.

Mr. WHEATON. And I will refuse to answer that question, on the basis of the first and fifth amendments.

Mr. ARENS. Did you sign the cable alluded to in the article, Wheaton exhibit No. 10?

Mr. WHEATON. I refuse to answer that question, on the basis of the fifth amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that Wheaton exhibit No. 10 be incorporated by reference in the record and retained in the files of the committee.

The CHAIRMAN. It may be so incorporated.

(Wheaton exhibit No. 10 was incorporated as part of the record by reference.)

Mr. ARENS. I lay before you a document marked "Wheaton Exhibit No. 11" which is a photostatic copy of an article appearing in the Daily People's World of March 27, 1953, page 8. It is an article by a person identified in the article as Louis A. Wheaton, and the dateline is from Peiping, China.

I would like to read part of the article to you and invite your attention to it, as you now testify under oath before the committee of your Government.

The whole of Japan is fortified. It has more than 600 military bases. The Island of Hokkaido, at the northern tip of Japan above Korea and a few miles across the strait from the Soviet Union border, has become the base for jet fighters and bombers. It contains United States Sherman tank units and 75 mm gun emplacement units.

Atonic bombs are being reserved on the northern part of Honshu and at Tachikawa, near Tokio. Experiments on rats and mice are being conducted in Saitama Prefecture near Tokio in order to make bacteriological weapons for the Korean front. These rodents are collected at the rate of 150,000 to 200,000 a month.

In addition, Okinawa Islands are becoming the Gibraltar of the Far East. Informed circles state this is the strongest base for attack against New China.

¹ References on this and ensuing pages to Louis A. Wheaton refer to the witness, Louis W. Wheaton.

Look at that article, if you will, please, while you are under oath testifying before your Government, and tell the people of the English-speaking world whether or not you are the Louis A. Wheaton alluded to in that article in the Daily People's World, Exhibit No. 11?

Mr. WHEATON. I refuse to answer that question, on the basis of the first and fifth amendments.

Mr. ARENS. Did you write the article alluded to in Wheaton exhibit No. 11?

Mr. WHEATON. I will refuse to answer that question, on the same ground.

Mr. ARENS. Did you make the statements, particularly these statements attributed to Louis A. Wheaton, charging the United States with preparations for bacteriological warfare in the Far East?

Mr. WHEATON. I will refuse to answer that question, on the same ground.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this document, Wheaton exhibit No. 11, be incorporated by reference in the record and retained in the files of the committee.

The CHAIRMAN. The document may be incorporated by reference.

(Wheaton exhibit No. 11, was incorporated as a part of the record by reference.)

The CHAIRMAN. What is the date of it?

Mr. ARENS. This document is dated March 27, 1953.

The CHAIRMAN. When were you in the armed services?

Mr. WHEATON. From August 1942 until March 1946.

The CHAIRMAN. From 1942 to 1946?

Mr. WHEATON. That is correct, sir.

The CHAIRMAN. Were you commissioned?

Mr. WHEATON. Yes, sir.

The CHAIRMAN. What position?

Mr. WHEATON. First lieutenant.

The CHAIRMAN. What type of work did you do?

Mr. WHEATON. I was an instructor in the ground school teaching aircraft recognition.

The CHAIRMAN. Where?

Mr. WHEATON. Tuskegee, Ala.

The CHAIRMAN. At the time you were instructing, were you a member of the Communist Party?

Mr. WHEATON. I refuse to answer that question, on the basis of the first and fifth amendment.

Mr. KEARNEY. Are you a member of the Inactive Reserve at the present time?

Mr. WHEATON. I beg your pardon, sir?

Mr. KEARNEY. Are you a member of the Inactive Reserve at the present time?

Mr. WHEATON. That I don't know.

Mr. KEARNEY. You don't know?

Mr. WHEATON. I don't know. I have no communications. I don't know whether I am or am not.

Mr. ARENS. Now I lay before you a document which is a photostatic copy of an article appearing in the Communist Daily Worker of June 1, 1953, containing a dateline of Peiping, China, of May 31. The headline of this article is: "Chinese Mark Agnes Smedley Anniversary." The article alludes to a group of writers and foreign resi-

dents who were marking the birthday anniversary of Agnes Smedley, including a person identified here as Louis Wheaton, American member of the Asian and Pacific Peace Liaison Committee.

Are you the Louis Wheaton alluded to in that article marked "Wheaton Exhibit No. 12"?

Mr. WHEATON. I refuse to answer that question, on the basis of the first and fifth amendments.

Mr. ARENS. Did you participate in a conference commemorating the anniversary of Agnes Smedley in Peiping, China, in May of 1953?

Mr. WHEATON. I refuse on the same ground.

Mr. ARENS. Who is Agnes Smedley?

Mr. WHEATON. I refuse to answer that question, on the same ground.

Mr. ARENS. Who is Israel Epstein?

Mr. WHEATON. I refuse to answer that question, on the same ground.

Mr. ARENS. Israel Epstein was one of your cocolebrators, out there in Peiping, China, in May 1931 to commemorate the birthday of Agnes Smedley, was he not?

Mr. WHEATON. I refuse to answer that question.

Mr. ARENS. May 31, 1953, I beg your pardon.

Now, I lay before you a document marked "Wheaton Exhibit No. 13" which is a photostatic copy of an article appearing in the Daily People's World of April 24, 1953. It is entitled "A U. S. Worker Writes From China: Low Rent, Free Medical Care."

PEIPING, April 23.—In an open letter to his fellow American workers, lathe operator Louis A. Wheaton has described the working and living conditions he has observed in China.

Wheaton, a member of the United Electrical, Radio, and Machine Workers, led the United States delegation to the Asian and Pacific Peace Conference here last fall and is now a deputy secretary general of the Peace Liaison Committee of the Asian and Pacific Regions. His letter appeared in People's China, a magazine.

I shall not impose upon the time of the committee to read the entire article, except to summarize it by saying that it portrays the People's Republic of China in the most glowing terms and, of course, compares circumstances and situations in this country, the United States of America, quite adversely.

Are you the Louis A. Wheaton alluded to in this article?

Mr. WHEATON. I refuse to answer the question, on the basis of the first and fifth amendments.

Mr. ARENS. Have you ever operated a lathe?

Mr. WHEATON. I refuse to answer that question.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer that question.

The CHAIRMAN. I direct you to answer that question.

Mr. WHEATON. I abide by my original answer.

Mr. ARENS. When were you with the United Electrical, Radio, and Machine Workers?

Mr. WHEATON. I will refuse to answer that question on the basis of the first and fifth amendments.

Mr. ARENS. Have you ever been with the United Electrical, Radio, and Machine Workers?

Mr. WHEATON. The same answer holds.

Mr. ARENS. I respectfully suggest that this document be incorporated by reference in the record. I invite the attention of the committee to the fact that the article to which I have just alluded, Wheaton

Exhibit No. 13, was reproduced in other languages and circulated over the world in foreign language publications, an illustration of which we have here today, "Rude Pravo," which I believe is Czechoslovakian. It is a duplication in the Czechoslovakian language of an article written by the person Louis A. Wheaton.

Are you actually the "Wheaton" who wrote these articles which were reproduced in various languages?

Mr. WHEATON. I will refuse to answer that question on the basis of the first and fifth amendments.

Mr. ARENS. I respectfully suggest that these documents be incorporated by reference in the record and retained in the files of the committee.

The CHAIRMAN. So incorporated.

(The documents identified as "Wheaton Exhibit No. 13" were incorporated by reference as a part of the record.)

Mr. ARENS. You have identified this passport earlier as a passport that was issued to you. Look in that passport there now and accommodate the committee and tell us whether or not you see a Czech visa, a visa which was marked by Czechoslovakia. I invite your attention to the last page of this passport which you have identified now as your passport. On the last page of that passport there appears an entry and a stamp made in Czechoslovakia in 1953, April of 1953.

Tell us about that, will you please?

Mr. WHEATON. I will not answer, on the basis of the first and fifth amendments.

Mr. ARENS. Did you cause the officials in Czechoslovakia to have that stamp placed in this passport you have identified as your passport?

Mr. WHEATON. I will refuse to answer, on the basis of the first and fifth amendments.

Mr. ARENS. I invite your attention to a photostatic copy of the Communist Daily Worker, page 13, of Sunday, May 9, 1954, about a year after the exhibits we are just talking about. The headline is: "Philadelphia Women Plan Peace Observance on Mother's Day."

I would like to read part of this article.

Peace activities are on the upswing here. The Philadelphia Women for Peace are presenting their annual pre-Mother's Day observance, Saturday, May 8, at the Bright Hope Baptist Church, 12th and Oxford Streets, 8:30 p. m. A reception will follow the affair honoring the fifth birthday of the Women for Peace.

Mr. Louis Wheaton, chairman of the United States delegation to the Asian and Pacific Peace Conference held in Philadelphia¹ in 1952 will discuss United States policy in Indochina. A spokesman on Indochina has been invited from the French consulate.

Are you the Louis Wheaton who was in Philadelphia helping these dear women celebrate Mother's Day, dedicated to peace, on May 8, 1954?

Mr. WHEATON. I will refuse to answer that question, on the basis of the first and fifth amendments.

Mr. ARENS. Why, surely you are not ashamed to tell this committee that you were there in the interest of Mother's Day and peace in May 1954 are you, Mr. Witness?

Mr. WHEATON. I will refuse to answer that question, on the same ground.

Mr. SCHERER. The tragedy is that those mothers of Philadelphia did not know that they were being talked to by a man who had com-

¹ Asian and Pacific Peace Conference held in *Peiping*. Incorrectly stated Philadelphia.

mitted treason of the most despicable kind against the Government of the United States. That is the tragedy.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this document, Wheaton exhibit No. 14, be incorporated by reference in the record.

The CHAIRMAN. It may be so incorporated.

(The document "Wheaton exhibit No. 14" was incorporated by reference as a part of the record.)

Mr. ARENS. I lay before you another document, which we are identifying as "Wheaton Exhibit No. 15." This document is a reproduction of an article from the Daily Worker of Friday, February 5, 1954. It is entitled "What's On."

It appears from this article that there was to be a rally of the American Vets for Peace on February 7 at 8 o'clock. They were going to have refreshments. It is 50 cents to get in. It is to be held at 57 Fifth Avenue, near 15th Street, in New York City. And on the program, according to this article, are first-hand reports on the world peace movement. Among the speakers is a person identified here as Louis Wheaton.

Are you the Louis Wheaton who was there helping to build a firm foundation for peace in the world, addressing the Veterans for Peace at New York City on this day and place referred to in this article?

Mr. WHEATON. I refuse to answer that question on the basis of the first and fifth amendments.

Mr. ARENS. Did you address the American Veterans for Peace in New York City on this day and place alluded to in Wheaton exhibit No. 15?

Mr. WHEATON. Same answer.

Mr. SCHERER. I wonder how many of those veterans that he addressed on that day, Mr. Chairman, were in Korea at the time he was in Peiping charging these same veterans with pouring gasoline and burning women and children. I wonder how many were there?

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this document, "Wheaton Exhibit No. 15," be incorporated by reference in the record.

The CHAIRMAN. Let it be so incorporated.

(The document "Wheaton Exhibit No. 15," was incorporated as a part of the record by reference.)

Mr. ARENS. I lay before you another document, which we have marked as "Wheaton Exhibit No. 16."

"Let the Vets Speak for Peace. Come to the American People's Congress and Exposition for peace, Chicago Coliseum. American Peace Crusade." There is a picture of a dove on this document with a twig in its mouth—the symbol of peace. "To All Vets—A Call For Peace."

Of all the people in America, we veterans know first-hand the horrors of war. We also know that the world can exist without war. * * * As veterans, we have paid a heavy price in lost friends and our own disrupted lives. Today we are hard hit by the war economy.

The line continues in that vein, Mr. Chairman, and the sponsors of this, one of these veterans who know at first hand the horrors of war, who has paid such a heavy price in his own blood, listed here as one of the initial sponsors—a person by the name of Louis Wheaton.

Are you the Louis Wheaton who paid such a heavy price and who knows the horrors of war, who condemns the tragedies of Korea alluded to in this document, "Wheaton Exhibit No. 16"?

Mr. WHEATON. I will refuse to answer that question, on the basis of the first and the fifth amendments.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you are the Louis Wheaton identified in this document?

I respectfully suggest, Mr. Chairman, that this document be incorporated by reference in the record.

The CHAIRMAN. Let it be so incorporated.

(The document "Wheaton Exhibit No. 16" was incorporated as a part of the record by reference.)

Mr. ARENS. Now, yesterday there appeared before this committee a man by the name of William Wallace. He raised his right hand before God and swore to tell the truth. In the course of his testimony, he told us that he served in the Communist Party as a Communist; that thereafter he had a change of heart and served his country patriotically for some period of time as an informant getting information on this treasonable conspiracy for the Federal Bureau of Investigation.

In the course of his testimony before this committee, he said that while he was a member of the Communist Party, he knew you, Louis Wheaton, as a member of the Communist Party.

Was he lying, or was he telling the truth?

Mr. WHEATON. I refuse to answer that question, on the basis of the first and fifth amendments.

Mr. ARENS. Do you know William Wallace?

Mr. WHEATON. I refuse to answer that question, on the basis of the first and fifth amendments.

The CHAIRMAN. If you don't, you ought to cultivate him. He would be good company for you.

Mr. ARENS. Bad for Wallace.

The CHAIRMAN. No; Wallace is too strong a man.

Mr. ARENS. Now I ask you to tell us a little bit about your teaching career. Have you been a teacher in the course of your varied activities?

Mr. WHEATON. I refuse to answer that question, on the basis of the first and fifth amendments.

Mr. ARENS. Have you ever lived in New York City?

Mr. WHEATON. I beg your pardon?

Mr. ARENS. Have you ever lived in New York City?

Mr. WHEATON. I gave my address as 610 West 143d Street, New York.

Mr. ARENS. Did you live in New York City in 1952?

Mr. WHEATON. I refuse to answer that question, on the basis of the first and fifth amendments.

Mr. ARENS. I respectfully request that the witness be directed to answer the question.

The CHAIRMAN. You are directed to answer.

Mr. WHEATON. I abide by the answer as previously given.

Mr. ARENS. Now, in 1952, you were an instructor at the Frederick Douglass Educational Center, 124 West 12th Street, in New York City, were you not?

Mr. WHEATON. I refuse to answer that question, on the basis of the first and fifth amendments.

Mr. ARENS. You know, of course, that the Frederick Douglass Educational Center is a Communist nest training school, is it not?

Mr. WHEATON. I refuse to answer that question, on the same ground.

Mr. ARENS. Tell us where you have been in the United States, in the course of the last year.

Mr. WHEATON. I refuse to answer that question on the basis of the fifth amendment.

Mr. ARENS. Have you ever lived in Harlem?

Mr. WHEATON. I refuse to answer that question on the basis of the fifth amendment.

Mr. ARENS. I respectfully request that the witness be ordered and directed to answer that question.

The CHAIRMAN. What crime would it be to live in Harlem?

Mr. WHEATON. I refuse to answer that question on the basis of the fifth amendment.

The CHAIRMAN. I direct you to answer the question.

Mr. WHEATON. I abide by my previous answer.

Mr. ARENS. You were a leader of the Peiping "Peace Conference" in 1952, were you not?

Mr. WHEATON. I refuse to answer that question on the basis of the first and fifth amendment.

Mr. ARENS. Tell us what you have done in the United States as a peace partisan.

Mr. WHEATON. I refuse to answer that question on the basis of the first and fifth amendment.

Mr. ARENS. That is a laudable objective, isn't it, to work for peace? What have you done to further the interests of peace?

Mr. WHEATON. I refuse to answer that question on the basis of the first and fifth amendment.

The CHAIRMAN. Then you feel that you might be subjected to a criminal prosecution if you told this committee what efforts you have made to bring about peace; is that it?

Mr. WHEATON. I will refuse to answer that question on the basis of the first and fifth amendment.

The CHAIRMAN. What crime do you think you could be charged with if it were learned that you were an advocate of peace?

Mr. WHEATON. The same answer holds.

The CHAIRMAN. Perhaps your idea of peace, and peace, are two different things.

Mr. SCHERER. I think if he was promoting a fraudulent peace on behalf of the Soviet Government, he would be properly invoking the fifth amendment. I think that is his reason.

Mr. ARENS. Have you received pay, remuneration, compensation, in any form, from a foreign government for services rendered by you?

Mr. WHEATON. I refuse to answer that question on the basis of the first and fifth amendment.

Mr. ARENS. Were you paid for these broadcasts that you made, worldwide, to the English-speaking world?

Mr. WHEATON. I refuse to answer that question on the basis of the first and fifth amendment.

The CHAIRMAN. The fact of the matter is that you received one thousand American dollars to make two broadcasts in China, didn't you?

Mr. WHEATON. I refuse to answer that question on the basis of the first and fifth amendment.

Mr. ARENS. Mr. Chairman, I would respectfully suggest that would conclude the staff interrogation of this witness. Could we have a 5-minute break?

The CHAIRMAN. Yes; the committee will recess for 5 minutes.

(Whereupon, a short recess was taken.)

The CHAIRMAN. The committee will be in order.

Please call your next witness, Mr. Arens.

Mr. ARENS. John Kingsbury.

Mr. SCHERER. Mr. Counsel, is there a statute of limitations on treason?

Mr. ARENS. No.

Mr. SCHERER. I just wanted that for the record.

Mr. ARENS. Mr. Kingsbury, will you please come forward.

Please remain standing while the chairman administers an oath.

The CHAIRMAN. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Dr. KINGSBURY. I do.

TESTIMONY OF JOHN ADAMS KINGSBURY; ACCOMPANIED BY COUNSEL, LEONARD B. BOUDIN

Mr. Chairman, may I say that, being an old man of 80, I have the old man's complaint and I may have to ask for a little time out from time to time.

The CHAIRMAN. That is all right.

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Dr. KINGSBURY. My name is John Adams Kingsbury. I reside at Shady, N. Y. I am a retired social public health worker.

Mr. ARENS. Are you appearing today, Mr. Kingsbury, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Dr. KINGSBURY. I am.

Mr. ARENS. You are represented by counsel?

Dr. KINGSBURY. I am.

Mr. ARENS. Will counsel kindly identify himself?

Mr. BOUDIN. Leonard B. Boudin, 25 Broad Street, New York City. By the way, it is Dr. Kingsbury.

Mr. ARENS. The subpoena requires the production by you of certain documents, does it not?

Dr. KINGSBURY. Passports, yes.

Mr. ARENS. Do you have those documents in your possession?

Dr. KINGSBURY. I have those which I was able to find.

Mr. ARENS. And will you now, at this time, transmit those to the committee?

Dr. KINGSBURY. Well, what do you mean by transmitting them?

Mr. ARENS. Hand them to us, if you have them.

Dr. KINGSBURY. I prefer not to hand them. I prefer to take them one at a time and let you look at them.

The CHAIRMAN. Will you comply with the provisions of the subpoena and deliver those documents?

Dr. KINGSBURY. You mean just deliver them as a whole, as they are?

The CHAIRMAN. Yes.

Dr. KINGSBURY. Mr. Chairman, will these documents be immediately returned to me? I have kept many of them for years, and they have sentiment—

The CHAIRMAN. Let us not quibble. You were subpoenaed to produce certain documents. Produce them.

Read the list, Mr. Arens, of what he was subpoenaed to bring.

Mr. ARENS. Unfortunately, in this particular file here in the hearing room, we do not have a copy of the subpoena duces tecum, but they require, as I am sure will be recalled, the production of his travel and passport documents. The one desired at this time is his last passport and travel document.

Thank you, sir.

Doctor, I lay before you a photostatic copy of Department of State passport application, which does not bear a date of application but bears a date of issuance of a passport in 1947. I ask you if that is a true and correct reproduction of the passport application made by you at that approximate time, before the Department of State.

The 1947 date is a date of an affidavit or a date of a prior passport. The approximate date of departure indicated on this document is November 5, 1950. I ask you, only for the purpose of identification at this time, whether or not this document, which I have just laid before you, is a true and correct reproduction of the passport application which was made by you on that date.

Mr. BOUDIN. May I suggest, because I think you are in error on the facts, this is a 1950 issuance based obviously upon a 1950 application. The 1947 date refers to a prior passport.

Mr. ARENS. We just directed that, Counsel.

Would you kindly identify this—as to whether or not this is a reproduction of the passport application filed by you with the Department of State?

Dr. KINGSBURY. I understood you to say an application made by me in 1947.

Mr. ARENS. Made by you in 1950. The 1947 date is the date alluded to by you in the affidavit referring to a prior passport.

Dr. KINGSBURY. Yes.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this document, marked "Kingsbury Exhibit No. 1," be incorporated by reference in this record and retained in the committee files.

The CHAIRMAN. It may be so incorporated.

(The document, identified as "Kingsbury Exhibit No. 1," was incorporated by reference as a part of the record.)

Mr. BOUDIN. Could I see that for a second?

Mr. ARENS. Yes.

Pursuant to this application, marked "Kingsbury Exhibit No. 1," was this passport, the passport I now lay before you, issued to you?

Dr. KINGSBURY. Yes, it was.

Mr. ARENS. We are going to return this passport to you, Doctor, but we would like to retain custody of it for a day or so until we can have it properly identified and incorporated by reference in this record and the visa stamps translated. It will be marked by a slip on the outside, so that we do not in any sense dirty up your passport. It will be marked "Kingsbury Exhibit No. 2" for identification purposes.

And if the chairman please, I ask that it be incorporated by reference in this record.

Mr. BOUDIN. It will be returned next week?

Mr. ARENS. Yes.

Will you please tell us where you went pursuant to the passport application which is Exhibit No. 1, and the passport, which is Exhibit No. 2?

Dr. KINGSBURY. I first went to Sheffield, England.

Mr. KEARNEY. Will the witness speak up? I can't hear him.

Dr. KINGSBURY. I first went to Sheffield, England.

Mr. ARENS. When did you go to Sheffield, England?

Dr. KINGSBURY. Well, I think I sailed early in November. No; I can't think of the date that I sailed, but I sailed on the *America*.

Mr. ARENS. That was in 1950?

Dr. KINGSBURY. In 1950, in November.

Mr. ARENS. And who accompanied you on the trip?

Dr. KINGSBURY. Nobody.

Mr. ARENS. Where was your ultimate destination?

Dr. KINGSBURY. My ultimate destination was Sheffield, England.

Mr. ARENS. Did you go to Sheffield, England?

Dr. KINGSBURY. I did.

Mr. ARENS. What did you do in Sheffield, England?

Dr. KINGSBURY. I attended the opening meetings of the Second World Congress of Peace.

Mr. ARENS. Were you a delegate?

Dr. KINGSBURY. I was not officially a delegate for anybody. I went because I wanted to get my own impressions.

Mr. ARENS. Did you at any time develop or acquire the status of a delegate?

Dr. KINGSBURY. Not while I was in Sheffield.

Mr. ARENS. Did you subsequently acquire the status of a delegate?

Dr. KINGSBURY. I wouldn't say I acquired it, because nobody gave me papers, but I was treated as if I were a delegate.

Mr. ARENS. Did you have delegate's credentials?

Dr. KINGSBURY. No.

Mr. ARENS. All right, sir. Where did you go from Sheffield?

Dr. KINGSBURY. I went to Warsaw.

Mr. ARENS. Why did you go to Warsaw?

Dr. KINGSBURY. Because the British Government withdrew its consent to let people into the Sheffield conference, and as a result of that, the Government of Poland invited the people at this conference, the delegates and the others who were guests, to come to Warsaw and hold a conference there.

Mr. ARENS. Why did the British Government withdraw its approval for the convening of the conference in Sheffield, England in 1950?

Dr. KINGSBURY. I never knew that.

Mr. ARENS. You knew, did you not, that the Government of Great Britain, did not feel it would be in the best interests of that nation to permit the convening of that conference within its boundary?

Mr. KINGSBURY. I think it is not correct.

Mr. ARENS. What was the reason given?

Dr. KINGSBURY. Well, I didn't have time to read all the papers, but there was a great deal in the papers about it, and I think that what they did was to decline to let certain people come in, certain delegates enter, and therefore it was decided not to hold it there, I believe. That is to the best of my recollection. I heard many rumors. I believe that the Congress moved, as a result of this invitation, because the British Government decided not to admit certain of the delegates.

Mr. ARENS. Why did not the British Government want to admit them? Do you know?

Dr. KINGSBURY. I don't know.

Mr. ARENS. What was the reason? Was it announced to you or did you acquire information as to the reason?

Dr. KINGSBURY. No.

Mr. ARENS. You knew, as a matter of fact, did you not, that the reason the British Government would not let certain people in is because they were Communist agents?

Dr. KINGSBURY. How do I know?

Mr. ARENS. Was that the announced reason concerning which you acquired information?

Dr. KINGSBURY. I didn't see—

The CHAIRMAN. Did the British Government suggest to you that it might be better for you to go on somewhere else?

Dr. KINGSBURY. No.

Mr. ARENS. Who paid your expenses from England to Warsaw?

Dr. KINGSBURY. The Polish Government invited the entire group as their guests from the time they left England.

Mr. ARENS. Were your expenses paid?

Dr. KINGSBURY. They must have been. They invited us to go as their guests. I didn't pay any expenses.

Mr. ARENS. On your application for this passport, pursuant to which you traveled in England, you said that you were going to England, France, and Denmark, and you had a passport issued to you pursuant to that request; isn't that correct?

Dr. KINGSBURY. Didn't I say also tours? Let me see what I said there.

Mr. ARENS. Countries to be visited: England, France, Denmark. Purpose of trip: Attend peace congress and tour as an individual only.

Dr. KINGSBURY. I said tour.

Mr. ARENS. Within the countries specified.

Dr. KINGSBURY. As an individual only.

Mr. ARENS. After you knew the conference was going to be transferred from England to Poland, did you go to the American authorities and have your passport stamped so that you could be permitted to travel to Poland?

While you are looking at that, would you tell us whether or not you have a recollection of contacting the American authorities with reference to your travel problems, when this peace conference was transferred from England to Poland?

Dr. KINGSBURY. No, and I didn't contact them when I went in. No, I didn't contact the American authorities at all.

Mr. ARENS. You just went on to Poland?

Dr. KINGSBURY. That is correct.

The CHAIRMAN. Didn't you seek the protection of your own Government when you went behind the Iron Curtain?

Dr. KINGSBURY. I don't know just what and where the Iron Curtain is, and I had no reason for protection.

The CHAIRMAN. You don't know where the Iron Curtain is?

Dr. KINGSBURY. No, I don't know the Iron Curtain.

The CHAIRMAN. I am not quite as naive, as you perhaps think, I am.

Dr. KINGSBURY. I am perhaps naive, or maybe not.

The CHAIRMAN. That I have my doubts about.

Mr. ARENS. Was Dr. Willard Uphaus in attendance at this session in England?

Dr. KINGSBURY. I think he was. He was in Poland. So he must have been in England. But I don't remember.

Mr. ARENS. You did not travel with him; is that correct?

Dr. KINGSBURY. That is right.

Mr. ARENS. When the meeting reconvened in Poland, did you acquire the status of a delegate?

Dr. KINGSBURY. I was invited to join the delegates. I don't know what the acquiring of status would be. I would assume I would be officially designated by some organization as a delegate, and I wasn't.

The CHAIRMAN. Who invited you to go to Poland?

Dr. KINGSLEY. The Polish Government invited the whole group to go as a body.

Mr. ARENS. I lay before you, Doctor, a document marked "Kingsbury Exhibit No. 3." It is a photostatic copy of the Daily Worker of November 20, 1950 (reading):

Offer World Parley 10-Year Peace Plan—

which is a discussion of the Second World Peace Congress held in Warsaw, Poland, in November. It lists here the members of the presiding committee of the congress. Then it says:

In addition, the United States delegation named the Reverend Willard Uphaus; Charles P. Howard, Iowa Progressive leader; the Reverend Robert Muir, Boston minister; Charles Proctor, Chicago Negro trade-unionist; Theresa Robinson, of the Daughters of the Elks; Dr. John Kingsbury * * *

and others.

What were you named at that time? Do you recall?

Dr. KINGSBURY. I don't know what I was named. And I don't know of any presiding committee. I don't know just what that is.

Mr. ARENS. You just do not have any recollection of all this?

Dr. KINGSBURY. I have a recollection of being there, but I never saw this copy of the Daily Worker.

Mr. ARENS. I am not asking you whether you saw the copy of the Daily Worker. I am asking you, Doctor, in all fairness, whether you were named as an American delegate to this Second World Congress of Peace?

Dr. KINGSBURY. Named by whom? I don't know.

The CHAIRMAN. Named by anyone.

Dr. KINGSBURY. I was invited to join the delegation by the group there and to sit at the presiding table.

Mr. ARENS. Did you receive credentials?

Dr. KINGSBURY. No.

Mr. ARENS. Did you participate as a delegate from the United States?

Dr. KINGSBURY. I participated, not as a delegate from the United States. I participated in a special committee of scientists and public-health experts.

Mr. ARENS. You were one of the members of the sponsoring group that set up the congress in the first place to be held in England; were you not?

Dr. KINGSBURY. No; I don't think so. I have no recollection that I was. I don't think I was.

Mr. ARENS. I ask, Mr. Chairman, that Kingsbury exhibit No. 3 be incorporated by reference in the record, and retained in the committee files.

The CHAIRMAN. So incorporated.

Mr. ARENS. Well, let me invite your attention to a photostatic copy of the Daily Worker of November 7, 1950, marked "Kingsbury Exhibit No. 4."

CHURCH LEADERS HERE SET TO LEAVE FOR WORLD PEACE MEET IN ENGLAND

American churchmen of national prominence are already en route to Sheffield, England * * *

and I am skipping considerable portions of the article—

Among the 50 to 60 delegates who will attend are such figures as Dr. John A. Kingsbury, a member of the sponsoring committee.

It further says:

He has already sailed for England.

Dr. KINGSBURY. I was not a member of the sponsoring committee.

Mr. ARENS. If this is in error, just say so, and we will get on to something else.

Dr. KINGSBURY. I don't know what the Daily Worker says. I rarely see it.

Mr. ARENS. Were you a member of the sponsoring committee to help set up this Peace Congress?

Dr. KINGSBURY. I have no recollection of it. I do not know what the sponsoring committee was.

Mr. ARENS. Did you participate in setting up the Second World Peace Congress which was scheduled for Sheffield, England?

Dr. KINGSBURY. No.

Mr. ARENS. How did you know about it?

Dr. KINGSBURY. Why, I was told about it by a group of clergymen and others that were interested and who expressed the hope that I would go.

Mr. ARENS. I ask, Mr. Chairman, that "Kingsbury Exhibit No. 4" be incorporated by reference in the record, and retained in the committee files.

The CHAIRMAN. So incorporated.

Mr. ARENS. Let us get back to Warsaw, Poland.

First you went to England and then transferred over to Poland. How long did the meeting stay in session in Poland?

Dr. KINGSBURY. Well, I can't say. But I think it was for probably a week, probably a week.

Mr. ARENS. Did you make any speeches in Warsaw?

Dr. KINGSBURY. No.

Mr. ARENS. What happened then, after the week was up?

Dr. KINGSBURY. The conference adjourned, and some delegates went home, and others, responding to an invitation from the Soviet Union, other groups of delegates, went to the Soviet Union.

Mr. ARENS. Were you among the group that went to the Soviet Union?

Dr. KINGSBURY. I was.

Mr. ARENS. Who invited you to go to the Soviet Union?

Dr. KINGSBURY. The committee that was present as delegates from the Soviet Union; some members of it. I do not remember who it was.

Mr. ARENS. Did the invitation include a little honorarium or expense money?

Dr. KINGSBURY. No.

Mr. ARENS. Well, did you pay your expenses from Poland to the Soviet Union?

Dr. KINGSBURY. We were invited to go as guests, and there was no question of it.

Mr. ARENS. Then it did include payment of expense money?

Dr. KINGSBURY. I didn't get any expense money.

Mr. ARENS. Well, who paid for your airplane fare?

Dr. KINGSBURY. Well, we went in a plane, a chartered plane of the Soviet Union, that took, I think 19 members of the group.

The CHAIRMAN. In other words, you went from Poland to Russia as the guest of the Russian Government, without any expense to yourself?

Dr. KINGSBURY. That isn't quite correct, Mr. Chairman.

The CHAIRMAN. What is correct?

Dr. KINGSBURY. The correct answer is that we went as guests of the Soviet Peace Committee, which is not the Soviet Government.

The CHAIRMAN. I would think it would be rather difficult to distinguish one from the other, but, be that as it may, go ahead.

Dr. KINGSBURY. If I had time, I could distinguish it for you.

Mr. ARENS. Was Dr. Uphaus on that little sojourn with you to Moscow?

Dr. KINGSBURY. Dr. Uphaus was; yes.

Mr. ARENS. And how long did you stay in Moscow?

Dr. KINGSBURY. I think we were scheduled to stay 2 weeks, but I think we did not stay quite that long, about 10 days.

Mr. ARENS. Who met you at the plane when you got there?

Dr. KINGSBURY. The chairman of the Soviet Peace Committee.

Mr. ARENS. You do not recall his name?

Dr. KINGSBURY. Yes; his name was Nicolai Tikhonov and also members of the Society for Cultural Relations With Foreign Countries.

Mr. BOUDIN. Excuse me.

May I ask that no pictures be taken, Mr. Chairman, while the witness is testifying, in accordance with the usual rule of the committee?

The CHAIRMAN. Yes.

Mr. BOUDIN. Afterwards is all right. Thank you.

Mr. ARENS. Was Harry F. Ward from Chicago on this delegation?

Dr. KINGSBURY. Yes; I think he was. I can't remember all of them. But I think there was a man named Ward.

Mr. ARENS. Did you go any place besides Moscow while you were in the Soviet Union?

Dr. KINGSBURY. Yes.

Mr. ARENS. Where did you go?

Dr. KINGSBURY. Well, some went to one place and some to others. I went with a group, and I think most were in this group that went to Leningrad. I went to a number of outlying villages and housing developments, both in Leningrad and in Moscow.

Mr. ARENS. Did you get into Stalingrad?

Dr. KINGSBURY. I did not, I am sorry to say. I wanted to go to Stalingrad, but didn't go, because I was down with a bad case of gripe—a cold.

Mr. ARENS. Did you make any speeches while you were there?

Dr. KINGSBURY. No; I think not.

Mr. ARENS. Did you at any time notify the State Department or the American Government: "Please change the passport"—or to take cognizance of the fact that you were going into Moscow?

Dr. KINGSBURY. The secretary to the Ambassador happened to be staying at the same hotel where we stayed. I got acquainted with him and told him that I would like very much to meet the Ambassador. And other groups expressed the same request. He said that he would try to arrange it.

Mr. ARENS. The Ambassador turned you down; did he not?

Dr. KINGSBURY. And let us know—can I answer the question?

Mr. ARENS. Surely. Excuse me.

Dr. KINGSBURY. The Ambassador accepted us, sent us word by the secretary that he had an appointment, that an appointment had been made for us, I believe, for 4 o'clock that afternoon.

I left an inspection of the health work and a factory out in the suburbs of Moscow, a big factory out there, with a few others, to keep that appointment with the Ambassador.

When we got there, someone raised the question whether at this hour the Ambassador meant that we should meet him at the Embassy or at what they call the Spaso House, where he lives. I am not sure that that is the name.

It was agreed that someone should go in and confirm the question whether this was the place at which we were to meet the Ambassador.

I cannot remember now who it was that went in, but he was gone quite a little time, and when he came out he said, "I'm sorry to say that the Ambassador will not see us." Asked why, he said, "The Ambassador asked if this was a group which had attended the Warsaw conference." The reply was affirmative. He then sent out word that he wouldn't see us, because the resolutions that were adopted at that conference were contrary to the spirit if not the letter of the resolutions which had been adopted, or statements that had been made, by the United Nations, and I think something else.

We felt that he was misinformed; whereupon I joined with a few others—I don't know whether others signed the letter or not. I wrote him a courteous letter. The secretary was present and took the letter. I don't mean took it in dictation. But I wrote a letter to the Ambassador, whom I knew slightly, telling him that I felt that he was

quite misinformed about this matter, and I would like the courtesy of meeting him to point out what the resolutions were that were passed there, and I thought I could convince him—this is the substance of the letter—that he was in error. And he did not reply to the letter.

Mr. ARENS. You went to the trouble, did you not, Doctor, before you arrived in Moscow, to have stamped in your passport the travel permission from the various countries through which you were going to go, and an entry permit stamped in there from the Soviet Union, so that your travel documents would all be in order?

Dr. KINGSBURY. I didn't handle it myself, because I was rather busy, and it was not easy for me to get around. Someone went and had whatever stamps were required put in for me.

Mr. ARENS. Did someone notify the American Government for you that you were going to a place not indicated in your application for your passport, particularly that you were going into the Soviet Union?

Dr. KINGSBURY. The passport does not say that it is not valid for the Soviet Union, does it?

Mr. ARENS. That wasn't the question. The question was: Did you have someone, or did you yourself, notify the American Government that you were going into a country not specified on the application pursuant to which you procured your passport?

You can answer that question, Doctor, very simply, yes or no.

Dr. KINGSBURY. It is not required by law, and I did not.

Mr. ARENS. While you were in Russia, did you join with a number of others in signing a statement:

AMERICANS IN THE U. S. S. R., NOVEMBER–DECEMBER 1950

World peace: Statements of the visiting American peace delegation and the All Union Soviet Peace Society, with a message from the people of Stalingrad.

Then in this document appears the caption: "Signed by the entire delegation," listing the names here of certain people, including the name of Dr. John A. Kingsbury, New York.

Dr. KINGSBURY. I don't see how I could have, because I wasn't at Stalingrad.

Mr. ARENS. I would like to lay before you, then, a document marked "Kingsbury Exhibit No. 5." It is a photostatic copy of a document circulated in this country by the American-Russian Institute, November–December 1950.

Dr. KINGSBURY. Which American-Russian Institute?

Mr. ARENS. Americans in the U. S. S. R.

Dr. KINGSBURY. May I ask which American-Russian Institute?

Mr. ARENS. The American-Russian Institute.

Dr. KINGSBURY. There are 2, at least 2. I would like to know which one.

Mr. ARENS. I ask you if you can identify that document, or identify the statement?

Mr. BOUDIN. Could the witness look at it, please?

Mr. ARENS. He has it in his hand.

Mr. BOUDIN. We can't follow you and look at a document.

(The witness conferred with his counsel.)

Dr. KINGSBURY. I would have to take time to read all this, to be sure. I don't recall this particular document.

Mr. ARENS. Well, let us look at the photograph and see if you can recall the photograph. There is a photograph here of the delegation. Unfortunately, it is not a very clear photograph.

Do your physical features appear in that photograph of the delegation?

Dr. KINGSBURY. That looks as if it might be me.

Mr. BOUDIN. There is a man there who appears to have a photogenic beard.

Mr. ARENS. If counsel wants to testify, I respectfully suggest he may submit to an oath and testify.

Mr. BOUDIN. I don't want an oath.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this document, "Kingsbury Exhibit No. 5," be incorporated by reference in the record and retained in the committee files.

The CHAIRMAN. It may be incorporated.

(The document was incorporated as a part of the record by reference.)

Mr. ARENS. Now, did you receive any money of any kind from the folks while over there in Soviet Russia—from this peace group?

Dr. KINGSBURY. No. At this time, you are talking about?

Mr. ARENS. Yes, on that particular mission. We will get into your next trip a little later on. You received no money from them on that trip?

Dr. KINGSBURY. No.

Mr. ARENS. All right, sir.

And when did you return?

Dr. KINGSBURY. I returned in December. To Paris.

Mr. ARENS. And how did you return?

Dr. KINGSBURY. By airplane.

Mr. ARENS. Then did you make another trip abroad?

Dr. KINGSBURY. Yes, I did.

Mr. ARENS. And, first of all, was that trip made on your original passport that we had here, marked "Kingsbury Exhibit No. 2"?

Dr. KINGSBURY. It was.

Mr. ARENS. Was that pursuant to a new application, or on the basis of the original passport?

Dr. KINGSBURY. The original passport.

Mr. ARENS. That was the original passport issued pursuant to the application which said that you wanted to go to England, France, and Denmark; is that correct?

The CHAIRMAN. The record speaks for itself.

(The witness conferred with his counsel.)

Dr. KINGSBURY. What is the question?

Mr. ARENS. Did you make any other application, or did you make any other representation to the Department of State, before you started your second trip?

Dr. KINGSBURY. No. I wasn't required to.

Mr. ARENS. You did not notify them, advise them, where you might be going?

Dr. KINGSBURY. No. I was not required to.

Mr. ARENS. Where did you go on your second trip, and when did you start?

Dr. KINGSBURY. I think I started on, I believe the sixth of July 1951. I am not just sure of the exact date. And I went to Moscow. I flew to Moscow via Helsinki.

Mr. ARENS. And what was the purpose of your trip to Moscow?

Dr. KINGSBURY. I was invited to Moscow by the Society for Cultural Relations, to continue my observations of the public-health work there, because I had written a brochure on my impressions, which was only for 10 days, and they said they would like to have me come and spend several weeks visiting the places that I would like to go, in order that I might get something more than mere brushoffs.

Mr. ARENS. Who actually tendered that invitation to you?

Dr. KINGSBURY. The representative of what they call VOKS. That is the Society for Cultural Relations with Foreign Countries.

Mr. ARENS. Did he extend that invitation to you by mail?

Dr. KINGSBURY. I think it was both by mail and by personal call on me.

Mr. ARENS. Was it a long-distance call? You mean a personal visit?

Dr. KINGSBURY. Yes.

Mr. ARENS. He came to see you in New York City; is that correct?

Dr. KINGSBURY. Yes, he came to see me.

Mr. ARENS. And did you receive him in your home and visit with him about the proposed trip?

Dr. KINGSBURY. I haven't a home in New York City.

Mr. ARENS. Where did this conference take place in which this representative from the Soviet Union invited you to go to the Soviet Union?

(The witness conferred with his counsel.)

Dr. KINGSBURY. The representative who came to see me was the representative of VOKS, as we call it, the Society for Cultural Relations, here.

Mr. ARENS. And where did this session take place?

Dr. KINGSBURY. He came to see me at my home in Shady.

Mr. ARENS. And he invited you to go?

Dr. KINGSBURY. Yes.

Mr. ARENS. Did he say he would see that your expenses were paid?

Dr. KINGSBURY. He said as a guest of the society, they would take care of everything. I would be their guest. I would have no expenses.

Mr. ARENS. Do you recall who was head of this Russian Society of Cultural Relations in Russia at the time?

Dr. KINGSBURY. I think it was Professor Denisov.

Mr. ARENS. Was Fadayev connected with that?

Dr. KINGSBURY. I don't know.

Mr. ARENS. Were your expenses paid?

Dr. KINGSBURY. My expenses were paid.

Mr. ARENS. Did they give you money, or did they give you a ticket?

Dr. KINGSBURY. They gave me a ticket.

Mr. ARENS. Who traveled with you?

Dr. KINGSBURY. My wife.

Mr. ARENS. Anyone else?

Dr. KINGSBURY. No one else.

Mr. ARENS. And when did you leave the United States?

Dr. KINGSBURY. I said it was about the 5th. I think it was the 6th of July.

Mr. ARENS. Did you have any stopovers en route?

Dr. KINGSBURY. The usual stopovers, I suppose, that the plane makes. It was due to stop in Labrador but didn't stop at the usual place. It went to Gander and went some place else, but that was only for a chance to get a sandwich and to wait for the weather to clear up a little bit.

Mr. ARENS. Let us have the exact date on this trip, if you please, Doctor.

Dr. KINGSBURY. Well, I said I would have to check with my diary, but I feel sure, I feel quite certain, that it was July 6.

Mr. ARENS. Of what year?

Dr. KINGSBURY. Of 1951.

Mr. ARENS. Did you attend some conferences in the Soviet Union as a result of this trip?

Dr. KINGSBURY. Yes.

Mr. ARENS. And with whom did you confer?

Dr. KINGSBURY. Oh, I conferred first with the director and the members of the American Bureau of VOKS. We were received there for an afternoon soon after we arrived, for just a friendly conference with them.

Mr. ARENS. Did you tell them you intended to look around the country and see the cultural activities in the Soviet Union?

Dr. KINGSBURY. Would you repeat your question, please?

Mr. ARENS. Did you tell them that you intended to look around the country to observe the cultural activities within that nation?

Dr. KINGSBURY. I did.

Mr. ARENS. Did you request the privilege of seeing any slave-labor camps?

Dr. KINGSBURY. No. That wasn't my field.

Mr. ARENS. Did you inquire at all about slave-labor camps?

Dr. KINGSBURY. I did not.

Mr. ARENS. Did you acquire any information about slave-labor camps?

Dr. KINGSBURY. I did not.

Mr. ARENS. Did you have any curiosity about slave-labor camps?

Dr. KINGSBURY. Well, my curiosity was about public health and welfare.

Mr. ARENS. Were you concerned about the welfare of the people in slave-labor camps?

Dr. KINGSBURY. Well, I don't know about the slave-labor camps. That is a very controversial question, what they are and where they are. I don't know. I never visited them.

The CHAIRMAN. Why do you not write the American Federation of Labor for information on it? It would be very interesting to you, I am sure.

Dr. KINGSBURY. What is that, Mr. Chairman?

The CHAIRMAN. I say if you would write the American Federation of Labor, they would give you a very interesting document on the slave-labor camps.

Dr. KINGSBURY. Mr. Chairman, I am a very busy old man trying to write my memoirs and doing other things, and I am reading everything that I can in my field, and I am not interested in slave-labor camps.

The CHAIRMAN. I thought that being interested in Russia, you would be interested in this very important phase.

Dr. KINGSBURY. I am interested in the public health and welfare of Russia. I am not interested primarily in Russia.

Mr. ARENS. Would you be——

Mr. BOUDIN. Would you let the witness——

Mr. ARENS. Interested in the 18 million people in the slave-labor camps and their health and welfare in the Soviet Union?

Dr. KINGSBURY. How do I know, or you know, there are 18 million people?

Mr. ARENS. Well, did you make any inquiry to ascertain whether there were any?

Dr. KINGSBURY. I did not.

Mr. ARENS. Where did you go besides Soviet Russia on this trip in which you departed the country in July of 1951?

Dr. KINGSBURY. Besides Soviet Russia?

Mr. ARENS. Yes; any other place that you went on this trip.

Dr. KINGSBURY. I went back to Paris when I left the Soviet Union.

Mr. ARENS. Did you by any chance get into Berlin on the way back, or on the way over? Do you have any recollection of participation in any sessions in Berlin?

Dr. KINGSBURY. When?

Mr. ARENS. On your trip.

Dr. KINGSBURY. In this trip to the Soviet Union?

Mr. ARENS. Yes; the second trip.

Dr. KINGSBURY. Not on my trip to the Soviet Union. Not this trip you are talking about.

Mr. ARENS. Did you get into Berlin on your first trip?

Dr. KINGSBURY. No.

Mr. ARENS. Where else did you go? We are through now with Soviet Russia on your second trip. Where did you go next?

Dr. KINGSBURY. When I got to Paris, I went to Denmark.

Mr. ARENS. What caused you to go to Denmark?

Dr. KINGSBURY. Well, two things. My daughter is married to a Dane. She married a Dane and I was invited by her parents-in-law to visit them. And also, I was making an inquiry wherever I went.

That is a little annoying, when I am trying to answer the question. Wherever I went on this trip, including the Soviet Union, I visited the neurological clinics, especially those which were interested in research in multiple sclerosis, which my daughter has. So I was especially interested in going to Denmark, because I understood that they were doing some of the most extensive inquiries into the cause, into the etiology, of multiple sclerosis.

Mr. ARENS. Did you have peace conferences of any kind in Denmark?

Dr. KINGSBURY. No.

Mr. ARENS. Who paid your expenses from the Soviet Union back to the West?

Dr. KINGSBURY. Back to the West? The Soviet Union paid my expenses over there, but not my expenses to Denmark. I paid my expenses to Denmark.

Mr. ARENS. Did the folks in the Soviet Union give you any money in addition to defraying your expenses?

Dr. KINGSBURY. No.

Mr. ARENS. Not on this trip?

Dr. KINGSBURY. Not on this trip.

Mr. ARENS. Where did you go after you went to Denmark, please, sir?

Dr. KINGSBURY. I came back to Paris.

Mr. ARENS. All right, sir. And then where did you go next?

Dr. KINGSBURY. I stayed in Paris. Paris was my headquarters until Christmas of that year, until I received an invitation to go to Vienna.

Mr. ARENS. While you were in Paris, you received an invitation to go to Vienna?

Dr. KINGSBURY. No. I said I came back to Paris expecting to stay in Paris and attend the Assembly of the United Nations. That was what I came back to Paris for. And while I was attending the Assembly, I received an invitation to attend the meeting of the World Peace Council in Vienna.

Mr. ARENS. Who extended the invitation to you?

Dr. KINGSBURY. The invitation came from the president of the conference.

The CHAIRMAN. And who was that, please?

Dr. KINGSBURY. The president of the conference was Joliot-Curie.

Mr. ARENS. Was that a personal invitation, or was it written?

Dr. KINGSBURY. No; it wasn't a written invitation. I don't believe it was a written invitation. He sent his secretary with a message to me, that they would like me to attend.

Mr. ARENS. I take it you went to Vienna. Who paid your expenses?

Dr. KINGSBURY. I went to Vienna.

Mr. ARENS. And who paid your expenses?

(The witness conferred with his counsel.)

Mr. BOUDIN. You are talking about 1952?

Dr. KINGSBURY. No; this is 1951.

Mr. ARENS. In November of 1951, was it not?

Dr. KINGSBURY. Yes; November of 1951.

Mr. ARENS. Now, who paid your expenses to Vienna?

Mr. BOUDIN. Was the U. N. thing held in 1951 or 1952?

Dr. KINGSBURY. 1951 or 1952.

Mr. ARENS. And who paid your expenses?

Dr. KINGSBURY. The Council. Mr. Joliot-Curie told me they would pay my expenses.

Mr. ARENS. Did you participate in the conference there?

Dr. KINGSBURY. I did.

Mr. ARENS. I would like to read you a text of a statement attributed to yourself, and see if you made this speech in Vienna at the World Peace Congress there.

"Our democracy is dying," Dr. Kingsbury continued. "It is being beaten to death"—

Dr. KINGSBURY. I can stop you and say I never made such a statement.

Mr. ARENS. Let me read this.

This morning, the participants in the World Peace Congress gave two great ovations. One was in tribute to the American delegate, Dr. John Adams Kingsbury, who represents the real America * * *

and so forth.

Now, the quotations from Dr. Kingsbury:

"Our democracy is dying."

I am reading now the statement attributed to yourself.

"Our democracy is dying," Dr. Kingsbury continued. "It is being beaten to death. Never before, except during the Goebbels era, has a campaign of lies met with as great a success as the present anti-Soviet hysteria in the United States. But most Americans, as in all other nations of this world, want peace. Because of the artificial creation of a mental disorder, the American people have been left neurotic."

Then, continuing:

The delegates to the World Peace Congress rose from their seats and applauded the representative of the American Nation.

First of all, I ask you if you made those statements which are attributed to you in this quotation?

Dr. KINGSBURY. Will you please let me see it?

Mr. ARENS. Yes, sir.

(The witness conferred with his counsel.)

Dr. KINGSBURY. What you are reading, Mr. Counsel, is presumably from my speech. But you didn't indicate to me that that is a quote within a quote. I don't know who I was quoting, but I think I remember quoting somebody as having said that. I don't recall who it was. But that was not my statement.

The CHAIRMAN. You are described as being the American delegate.

Dr. KINGSBURY. Well, that is not correct. Of course, I wasn't. There was no American delegate. I was a guest. That is not correct.

The CHAIRMAN. But you did speak?

Dr. KINGSBURY. I did speak. They invited me to speak as a guest.

Mr. ARENS. In the course of your speech, did you make the remarks which I have just quoted: "'Our democracy is dying,' Dr. Kingsbury continued"?

Dr. KINGSBURY. Mr. Chairman, that is not a fair statement. I called his attention to the fact——

The CHAIRMAN. But did you make that statement?

Dr. KINGSBURY. I may have quoted something from somebody. That is a quote within a quote. It shows on it.

The CHAIRMAN. I know, but did you make that statement yourself?

Dr. KINGSBURY. Me?

The CHAIRMAN. Yes.

Dr. KINGSBURY. No, I did not.

Mr. ARENS. Did you make these other statements which I have read here, which in this document are attributed to you?

Dr. KINGSBURY. Which other statements?

Mr. ARENS (reading):

Dr. Kingsbury described his impressions from his recent trip to the Soviet Union——

And so forth.

Dr. KINGSBURY. After it says he described it, there is also again a quote within a quote.

Mr. ARENS. The reason the quote is within the quote, Doctor, is because this document, the entire document, is within quotes, because it is the text of the Russian radio broadcast.

Dr. KINGSBURY. But this is a quote within a quote. I quoted somebody as saying that. Those weren't my quotes. Don't you see those quotes within quotes?

Mr. ARENS. Yes, but this is your quote within the quote of the Russian broadcast.

Will you deny that you made those statements? That is all I am asking.

Dr. KINGSBURY. I don't deny that in the course of my speech I may have given that quotation, that someone had said that. I don't remember who it was.

Mr. ARENS. Did you express these sentiments to that Congress, about the campaign of lies within the United States against the Soviet Union?

Dr. KINGSBURY. Does it say that I said there was a campaign of lies?

Mr. ARENS. Yes.

Never before, except during the Goebbels era, has a campaign of lies met with as great a success as the present anti-Soviet hysteria in the United States.

Did you say that?

Dr. KINGSBURY. Isn't that a quote within a quote?

The CHAIRMAN. Did you say that?

Dr. KINGSBURY. As my statement? Please let me see it.

The CHAIRMAN. You are being asked a question.

Mr. ARENS. I am asking now: Did you say it?

Dr. KINGSBURY. How can I recall exactly what I said? If you will let me see it—I quoted a number of people.

Mr. BOUDIN. Which paragraph, Mr. Arens, are you referring to?

Mr. ARENS. This document now before you is a quotation, all within quotes, of the text of the Russian Hour of November 7, 1951. Within those quotes, there are quotes alleged to be made by Dr. Kingsbury, who I understand is yourself.

"Our democracy is dying," Dr. Kingsbury continued.

The CHAIRMAN. Did you say that?

Dr. KINGSBURY. I quoted somebody. If you will look at that, you will see.

The CHAIRMAN. I have seen that, and this entire article is quoted.

Dr. KINGSBURY. It isn't my statement.

The CHAIRMAN. You did not say it?

Dr. KINGSBURY. I didn't say it. I quoted it.

The CHAIRMAN. All right. That is the answer. Let's go on to another question.

Mr. ARENS. I suggest, Mr. Chairman, that this document be marked "Kingsbury Exhibit No. 6" and incorporated by reference in the record.

The CHAIRMAN. It may be incorporated by reference.

(The document, Kingsbury Exhibit No. 6, was incorporated by reference as a part of the record.)

Mr. ARENS. Where did you go after that conference at Vienna?

Dr. KINGSBURY. I went back to Seattle—or, I went back to Paris.

Mr. ARENS. And then where did you go?

Dr. KINGSBURY. I stayed in Paris until Christmas, attending the meetings of the assembly at the Palais Chateaux until Christmas time. At Christmas time I went to Nice.

Mr. ARENS. What occasioned your visit to Nice?

Dr. KINGSBURY. I wanted to get away and get a rest and continue work on my memoirs.

Mr. ARENS. And then where did you go from Nice?

Dr. KINGSBURY. I stayed in Nice until middle April, and then I went to Italy, where I spent I forget how long, 2 or 3 months in Italy.

Mr. ARENS. And who paid your expenses on all this?

Dr. KINGSBURY. I paid my expenses.

Mr. ARENS. Where did you go from there?

Dr. KINGSBURY. From Italy I went to Switzerland.

Mr. ARENS. What did you do in Switzerland?

Dr. KINGSBURY. In Switzerland I visited and had conferences with the former director and head of the Institute of the History of Medicine at Johns Hopkins, Dr. Henry E. Seegers, who is a professor now at Yale, living there, writing this book.

Mr. ARENS. Where did you go from Switzerland?

Dr. KINGSBURY. From Switzerland I went back to Paris.

Mr. ARENS. Where did you go from Paris?

Dr. KINGSBURY. From Paris, I was prepared to go home, was intending to go home, in May, when I received an invitation to visit China.

Mr. ARENS. Who sent you the invitation to visit China? Date this, now, so that we know where we are. About what time were you in Paris and received this invitation to go to China.

Dr. KINGSBURY. Well, it was the latter part of May.

Mr. ARENS. Of 1952?

Dr. KINGSBURY. Of 1952.

Mr. ARENS. Who sent you this invitation to visit Red China?

Dr. KINGSBURY. Kuo Mo-jo, the president then—I think he is still—of the China peace committee.

Mr. ARENS. Had you, prior to the time that you received this invitation to visit Red China, participated in setting up, as a sponsor or as a promoter, the Peiping conference to be held in Red China?

Dr. KINGSBURY. No.

Mr. ARENS. Did you know of the formulation of plans for this conference to be held in Red China at Peiping?

Dr. KINGSBURY. When I was in Vienna, I met Kuo Mo-jo, who was the head of the Chinese delegation. He then informally invited me to China, and I replied that I didn't think I possibly could come, because I was on my way home.

The CHAIRMAN. Did you go to the representative of your Government to obtain a visa to enter China?

Dr. KINGSBURY. Someone went for me. Someone took the passport for me. The executive to Joliot-Curie, I think.

The CHAIRMAN. That is why you were in Paris?

Dr. KINGSBURY. What was?

The CHAIRMAN. Someone went with your passport? Is that correct?

Dr. KINGSBURY. No, I was in Paris on my way back to the United States of America.

The CHAIRMAN. Well, did you at any time receive official sanction and approval from the Government of the United States to go to Peiping, China?

Dr. KINGSBURY. No. It wasn't required that I should do that.

The CHAIRMAN. You knew, did you not, that the State Department had been condemning the prospective conference to be held at Peiping, China?

Dr. KINGSBURY. No, I didn't know it at that time. I didn't know at that time just when the conference was. I dropped the subject when Kuo Mo-jo spoke to me in Vienna, and then I received an invitation from him confirming this, while I was in Paris, just about to sail.

Mr. ARENS. Now, the fact is that you did not, irrespective of your reasons, procure official approval from your Government or a stamp on your passport authorizing you to go to China, did you?

Dr. KINGSBURY. I didn't consider that it was necessary.

Mr. ARENS. Could you just answer the question: Did you or did you not?

Dr. KINGSBURY. Well, the passport was taken there, so that I could depart on this trip.

Mr. ARENS. All right.

Now, when was it you left Paris to go to Red China?

Dr. KINGSBURY. Why not just call it People's China?

Mr. ARENS. I would prefer to call it Red China.

Dr. KINGSBURY. I would prefer to call it People's China, which is the official name. I went to People's China.

Mr. ARENS. Do you think that people actually control it there, or does the Communist conspiracy control it?

Mr. BOUDIN. Is that a question, by the way?

The CHAIRMAN. Proceed.

Mr. ARENS. When did you leave to go to Red China?

Dr. KINGSBURY. I left in the latter part of May. I don't recall the exact date. I left in the latter part of May 1952, to go to the People's China.

Mr. ARENS. And who paid your expenses to go to People's China?

Dr. KINGSBURY. I went as a guest of the Peace Committee of People's China, of which Kuo Mo-jo was the chairman.

Mr. ARENS. Did you receive your expenses in advance, or did you wait and get them after you got there?

Dr. KINGSBURY. No; I was told that a ticket would be given to me and that I wouldn't have any expenses and I wouldn't be troubled about my baggage or anything else. It was all taken care of.

Mr. ARENS. Now, how did you get on the airplane? What process did you use to have your ticket to get on the airplane to go to Peiping, China?

Dr. KINGSBURY. The secretary of Joliot-Curie, who brought me the invitation, took me to the airplane and took care of my baggage and my tickets.

Mr. BOUDIN. I am going to ask the doctor whether he wants to take a recess for a minute or two.

The CHAIRMAN. Before we adjourn, I would like to ask just a question or two.

When you received this passport, it contained permissions from various governments to enter the countries, with stamps?

Dr. KINGSBURY. Well, certain countries, because I didn't know all the countries I would go to.

The CHAIRMAN. But subsequently, this passport was given to representatives of Communist countries, and they put the stamps or affixed

the stamps to this passport, without your own Government knowing anything about it? Is that not the fact?

Dr. KINGSBURY. I don't know whether the Government knew anything about it or not.

The CHAIRMAN. It certainly seems to me that this indicates something ought to be done in connection with the present passport law, because our Government has absolutely no control over this document; and this document, right on the face of it, is a guaranty of the full protection of the Government of the United States, and we have no control over what is done with it after it leaves the State Department.

The committee is in recess until 2: 15.

(Whereupon, at 12: 30 p. m., Thursday, May 24, 1956, a recess was taken until 2: 15 p. m. the same day.)

AFTERNOON SESSION—THURSDAY, MAY 24, 1956

(The committee reconvened at 2: 15 p. m., pursuant to recess.)

Mr. MOULDER (presiding). The committee will be in order.

The record will show that this hearing is being conducted under the jurisdiction of a subcommittee duly appointed by the chairman of the full committee, a subcommittee consisting of Congressman Frazier of Tennessee, Congressman Scherer of Ohio, Congressman Kearney of New York, and myself, Moulder of Missouri as chairman of the subcommittee.

Mr. ARENS. Dr. Kingsbury, will you kindly resume the stand?

Mr. MOULDER. Has this witness been sworn?

Mr. ARENS. Yes, sir. We are just resuming his testimony.

TESTIMONY OF JOHN ADAMS KINGSBURY—Resumed

Doctor, when you were in Moscow in August of 1951, you had your passport renewed or revalidated there by the American Embassy in Moscow; is that correct?

Dr. KINGSBURY. No. The procedure in Moscow, I discovered, and also I discovered the same thing in China, is that the passport people will take up your passport when you enter, and you don't see your passport again until your exit. They give it to you then. And I didn't go to the Embassy to have my passport visa—

Mr. KEARNEY. Will the witness speak up a little?

Dr. KINGSBURY. My dear sir, I am about 80 years old, and I can't speak much louder. I am doing the best I can.

Mr. ARENS. Doctor, I invite your attention to page 8 of your passport, which has previously been identified in this record, in which appears a notification "American Embassy, Moscow, U. S. S. R., August 31, 1951," and certain stamps appear thereto, do they not?

Dr. KINGSBURY. Yes.

Mr. ARENS. It says:

This passport is not valid for travel in Bulgaria or travel to Czechoslovakia. Is that correct?

Dr. KINGSBURY. That is what it says. But I did not see it until I got to Paris.

Mr. ARENS. Now, may I invite your attention to an entry made thereafter in your passport on page 23?

Mr. KEARNEY. Mr. Counsel, I wish the counsel for the witness would not push that mike back. We would like to hear what the witness has to say.

Mr. BOUDIN. Mr. Chairman, the mike is interfering with the witness.

Mr. KEARNEY. I am not interested in what your thoughts are.

Mr. BOUDIN. I am not thinking. I say it is sticking in his face, and I think the witness is entitled to a little courtesy from the committee.

Mr. KEARNEY. We will give the gentleman all the courtesy we intend to give him.

Mr. BOUDIN. I understand that.

Mr. KEARNEY. But I want to hear the witness——

Mr. BOUDIN. The witness is not going to have any——

Mr. KEARNEY. Let's not you and I have any argument, because you are going to be on the losing end.

Mr. BOUDIN. I just want the witness treated courteously.

Mr. ARENS. Now, Doctor, after the entry which appears on the passport on page 8, restricting your travel, namely, that the passport is not good for Czechoslovakia, did you travel to Czechoslovakia?

Dr. KINGSBURY. I stopped off there en route to Paris for a day. I had to change from a Soviet plane to a French plane.

Mr. ARENS. As of the time that you stopped off in Czechoslovakia, did you know that your passport contained this entry to which I am now pointing, namely, that the passport is not valid for travel in Bulgaria or for travel to Czechoslovakia?

Dr. KINGSBURY. I did not.

Mr. ARENS. But you nevertheless did thereafter travel into Czechoslovakia; is that correct?

Dr. KINGSBURY. You mean after what?

Mr. ARENS. After the date which appears on page 8 of your passport.

Dr. KINGSBURY. I didn't travel in Czechoslovakia. I changed planes there.

Mr. ARENS. You were there for 4 days, were you not?

Dr. KINGSBURY. When?

Mr. ARENS. In September 1951.

Dr. KINGSBURY. I don't think I was there that long. I don't remember now.

Mr. ARENS. How many days were you in Czechoslovakia after the entry was made into your passport that your travel would not be good to Czechoslovakia?

Dr. KINGSBURY. I was there when I changed planes. I was there possibly 2 or 3 days. I don't know how long it was.

Mr. ARENS. Did you obtain permission from the American authorities before you went into Czechoslovakia after your passport was stamped that your travel would not be good to Czechoslovakia?

Dr. KINGSBURY. I told you that I did not see that stamp, to notice the stamp, until I got to Paris. My passport was handed to me by the Soviet authorities when I left, and I didn't examine it any further.

Mr. ARENS. Well, answer the question, please. Did you at any time notify the American authorities that you were going to Czechoslovakia?

Dr. KINGSBURY. No.

(The witness conferred with his counsel.)

Mr. ARENS. At the time of the morning recess, Doctor, we were discussing your trip which you were making in 1952 to Peiping, China, from a point in Europe. Were your expenses and all of your expenses from Europe to Peiping, China, paid by the organization in China?

Dr. KINGSBURY. They were.

Mr. ARENS. And did you receive any funds in addition to your actual expenses?

Dr. KINGSBURY. No.

Mr. ARENS. When did you arrive in Peiping, China?

Dr. KINGSBURY. I think it was toward the end of May. I am not sure just what it was, but about, I should think, the 28th or 29th.

Mr. ARENS. What did you do when you arrived there?

Dr. KINGSBURY. I went to the hotel. I was received by a committee that took me to a hotel, the Peking Hotel.

Mr. ARENS. And what committee met you there?

Dr. KINGSBURY. Well, a committee from the China peace committee and some other distinguished gentlemen.

Mr. ARENS. What happened then?

Dr. KINGSBURY. After being installed in my room, I was called upon by the chancellor of the University of Peiping and the judge of the supreme court of China. They do not call it that, but that is what it was. And quite a delegation came to see me.

Mr. ARENS. Was this in June of 1952?

Dr. KINGSBURY. This particular time when I got there was at the end of May.

Mr. ARENS. Had the conference itself started when you got there?

Dr. KINGSBURY. It was scheduled to begin but was postponed a few days.

Mr. ARENS. You were one of the participants in setting up the conference, were you not?

Dr. KINGSBURY. I was not. I was just a guest.

Mr. ARENS. Were you a sponsor of the conference?

Dr. KINGSBURY. I was not.

Mr. ARENS. I direct your attention, Doctor, to an article of July 14 1952, entitled "Preparatory Meeting Held in Peiping for Asian and Pacific Peace Conference."

Following is a text of a communique issued by the preparatory meeting for the convocation of a peace conference of Asian and Pacific countries at a press conference held at Peiping on June 8, 1952.

This article lists the persons who participated as sponsors. And I read you an excerpt from it and invite your attention to the entire article:

Besides Kuo Mo-jo, who signed the declaration as a sponsor of the meeting, other signatories include the following delegates from various countries as follows—

Thereafter are listed the names of a number of persons as sponsors, including the name of John Kingsbury, United States of America. I ask you if that article which I have just laid before you refreshes your recollection as to whether or not you were a sponsor of the preparatory work for the Peiping conference?

Dr. KINGSBURY. I don't need the document. I told you I was not a sponsor.

Mr. MOULDER. A moment ago a question was asked you, Dr. Kingsbury, as to whether or not you received any funds in addition to your expenses. I recall no answer to that question. Was there an answer to it?

Dr. KINGSBURY. Yes. The answer was no.

Mr. MOULDER. I did not hear it.

Dr. KINGSBURY. And my answer to this is that I was not a sponsor. I was a guest.

Mr. ARENS. Now, Doctor, did you then stay on and participate in the conference itself?

Dr. KINGSBURY. I did. And I sat as a guest at the guest table and spoke.

Mr. ARENS. In one of your speeches at the Peiping conference, did you say, in one of your comments:

Being misinformed by the American newspapers I was skeptical about the charges made against my Government as to the authenticity of the charge of bacteriological warfare waged by the Government of the United States.

This continues:

But after his arrival in Peiping, he said, he visited the germ-war exhibition and saw evidence of the bacteriological warfare that was irrefutable.

Did you issue a statement during the Peiping conference to the effect of what I have just recited to you?

Dr. KINGSBURY. I did not.

Mr. ARENS. I lay before you now a document "Peace Meeting Delegates Interviewed," from the Peiping radio, in English, June 9, 1952, in which you are quoted as I have just read. And will you see whether or not that refreshes your recollection as to anything you may have said while you were in Peiping at this peace conference?

Mr. MOULDER. May I interrupt to have the record show at this point that a quorum is present? In fact, all the members of the subcommittee duly appointed by the chairman of the full committee are present. And it will be necessary for me to be absent, and the gentleman from Tennessee, Congressman Frazier, will preside as chairman of the subcommittee in my absence.

Dr. KINGSBURY. This doesn't say what I understood you to say. It says, that, if I may read it—or you may read it—it says that I was skeptical about the charges against my Government as to the authenticity of the warfare waged by the Government. It does not say that after seeing—there is no longer a quote there. It says:

But after his arrival at Peiping he said, he visited the germ-war exhibition and saw evidence of the bacteriological warfare that was irrefutable.

That isn't a quotation.

Mr. ARENS. The "he said" is you, isn't it?

Dr. KINGSBURY. But it is not in quotations, and I never said it. The broadcast does many things, and the report does many things, and you say many things. I say I did not say it. I deny it.

Mr. SCHERER. Let me ask you this question: Were you interviewed on the Peiping radio?

Dr. KINGSBURY. No.

Mr. ARENS. You didn't broadcast at all over the radio?

Dr. KINGSBURY. I did not.

Mr. ARENS. Did you make a recording for the radio?

Dr. KINGSBURY. I did not.

Mr. ARENS. Were you interviewed for quotation on the Peiping radio?

Dr. KINGSBURY. Not that I know of.

Mr. KEARNEY. I did not get that answer.

Dr. KINGSBURY. I said not that I know of. I don't remember any interview.

Mr. KEARNEY. Would you not know whether or not you were?

Dr. KINGSBURY. I don't know. I can't remember everything that happened. There are some things I remember very well, but I do not remember that.

Mr. KEARNEY. In other words, you can only remember the things you want to remember?

Dr. KINGSBURY. Now, Mr. Chairman, is it necessary to bring people here to insult them? Or are you here to try to get us to tell you the nearest to the truth that we can?

Mr. KEARNEY. That is what we are trying to get from you.

Dr. KINGSBURY. Why do our representatives in Congress have to bring people here to browbeat them and insult them?

Mr. KEARNEY. We are not. All we want from you is the truth.

Dr. KINGSBURY. That is all I propose to give you, is the truth.

Mr. KEARNEY. I am glad to hear that.

Dr. KINGSBURY. That is another insinuation, you see.

Mr. ARENS. While you were at the Peiping Peace Conference, did you make any statements accusing or implying that the United States was engaged in bacteriological warfare?

Dr. KINGSBURY. I did not.

Mr. ARENS. Did you make any statements while you were at the Peiping Peace Conference criticizing your Government?

Dr. KINGSBURY. Would you let me say what I did?

Mr. ARENS. Can't you just tell us whether or not you made statements criticizing your Government?

Dr. KINGSBURY. No, I did not.

But I would like to tell you that when the Philippine representative got up and called the Americans warmongers, and made a statement which I considered an insult to every American, I arose and asked the chair as a matter of personal privilege to speak at that moment. And Madam Sun Yat-sen and the others were there to let me speak. I said:

The American people are not warmongers. There may be some warmongers in America, but I am not one of them, and I resent the statement that has been made here by the delegate from the Philippines.

Whereupon, there was applause from these people, and the delegate from Peiping got up and apologized and withdrew his statement that the American people were warmongers.

That is one of the main things that I did, sir.

Mr. ARENS. You told them only the Wall Street imperialists and fascists were warmongers?

Dr. KINGSBURY. Why do you put that—

Mr. ARENS. Because that is the same Commie line that has been put all through this.

Dr. KINGSBURY. I am not a Communist. I don't follow any Communist line. Why do you bring me here to insult me? You are putting the words in my mouth, sir, not I.

Mr. ARENS. Did you, in another little session in Berlin, while we are on the bacteriological warfare subject, issue a statement as follows:

Dr. Kingsbury pointed out that if the American people were to learn the truth of the events in Korea, they would react to the horrible facts about the bacteriological war with the same indignation as those present at the session reacted.

Dr. KINGSBURY. I did not make such a statement.

Mr. ARENS. How can you account for all these alleged misquotations of yourself?

Dr. KINGSBURY. How do you account for them? I don't know how to account for them. Why don't you quote what I did say?

Mr. ARENS. I am only quoting what the public press——

Dr. KINGSBURY. No; you can find something else in the public press.

Mr. ARENS. Let me lay before you, Doctor——

Mr. BOUDIN. Mr. Chairman? Would you let the witness finish his answer and direct counsel to allow him to?

Mr. FRAZIER (presiding). I will let him answer the question.

Did you understand the question?

Dr. KINGSBURY. I did not make that statement he accuses me of saying.

Mr. FRAZIER. Proceed, Counsel.

Mr. ARENS. Now may I lay before you, under date of July 1, 1952, supplement to New Times, in which appears an account by yourself. And let me read it to you. I will read it for the public record, and then I will let you look at it.

Mr. BOUDIN. May I ask the chairman a question on procedure? If something is going to be read which may not be properly attributed to Dr. Kingsbury, why should it be read into the record until it has been properly identified? Isn't that fairer to the witness? Shouldn't the witness have a chance to see first what is proposed to be read?

Mr. ARENS. How is the witness going to know what I am going to read?

Mr. BOUDIN. By your showing it to him.

Mr. ARENS. I will read it to him, and if he denies saying it that will be in the record.

Mr. FRAZIER. The procedure has been to let the counsel propound his question, and if he wants to submit the paper to the witness he can then take such time as he wishes to rule and determine whether or not that is his statement.

Mr. BOUDIN. Mr. Frazier, may I raise one more question?

Mr. FRAZIER. No. No more.

Mr. ARENS. This states that Dr. Kingsbury remarked that he had just returned from a visit to China and that he was greatly impressed by the tremendous faith of that great people in the future and in the triumph of peace.

Did you make that remark, Doctor, at Berlin in July of 1952 before the special session of the World Peace Council?

Dr. KINGSBURY. I may have made that remark.

Mr. ARENS. All right. Let us continue as you are quoted here.

Dr. KINGSBURY. I beg your pardon. Am I quoted?

Mr. ARENS. I am just reading what Dr. Kingsbury, United States of America is alleged to have said in the supplement to New Times.

Dr. KINGSBURY. Is it in quotations?

He says I am quoted.

Mr. FRAZIER. You said you may have made the statement.

Dr. KINGSBURY. I want to see if it is a quotation or some reporter that wrote something.

Mr. FRAZIER. Let the counsel go ahead with his questioning, and then you can make some statement about it.

Mr. ARENS. This refers to the Chinese volunteers as—

defending not only the interests of the Chinese and Korean peoples; they are defending the American people too, defending it against those who to further their own selfish ends, are prepared to destroy all that is most precious in the American heritage.

Did you say that, Doctor, at the conference in Berlin in July 1952?

Dr. KINGSBURY. Does that quote me?

Mr. ARENS. I am just asking you if you said it. A reporter wrote that article saying that you said it.

Dr. KINGSBURY. The reporters write lots of articles. You know that perfectly well. And you are reading that so that reporters will read what you want into it.

Mr. SCHERER. I find reporters are pretty accurate.

Dr. KINGSBURY. But not always.

Mr. SCHERER. But any reporter, Doctor, who has reported anything you said has been wrong today. I have not heard one thing that any reporter has written quoting you that you have admitted or that you said was correct.

How can all of these reporters misquote you and be wrong?

Dr. KINGSBURY. This is not a quotation.

Mr. ARENS. You just said it was some reporter quoting you.

Dr. KINGSBURY. I did not say it was a reporter quoting me. I said a reporter was writing me. I am not quoted here.

Mr. ARENS. The reporter in that article says that you said—and then says what you said.

Dr. KINGSBURY. But not in quotations.

Mr. ARENS. Why, of course they do not put them in quotations when they write a news article.

Dr. KINGSBURY. They do when they can. But I never made such a statement as that.

Mr. ARENS. All right, sir. Let's proceed with some more of these statements which are attributed to you in the New Times supplement of July 1952.

The day will come when the American people will learn how much they owe to the Chinese and Korean martyrs for helping them to awaken from the nightmare of the hopeless crusade against the phantom of communism.

Did you make that statement at the conference in Berlin in July 1952?

Dr. KINGSBURY. Is it attributed to me in quotations?

Mr. ARENS. It is attributed to you.

Dr. KINGSBURY. Is it attributed to me in quotations?

Mr. ARENS. Not in quotations.

Dr. KINGSBURY. I will answer that I did not make any such statement. But I just wanted to show the reporters that it is not a quoted statement.

Mr. ARENS. Now may we continue, from this article in the New Times:

Dr. Kingsbury pointed out that if the American people were to learn the truth of the events in Korea, they would react to the horrible facts about the bacteriological war with the same indignation as those present at the session reacted.

Now, did you make that statement at the conference in Berlin?

Dr. KINGSBURY. I did not. It is not in quotations, and I did not make it.

Mr. ARENS (reading):

He had himself taken part in the investigation of these facts, and on returning to the United States of America will spare no effort to bring them to the knowledge of the people, so that Americans might judge for themselves.

Did you make that statement?

Dr. KINGSBURY. I did not. It is not in quotations, and I did not make it.

When you want me to tell you what I said and what is on record in the Herald Tribune, I will do it.

Mr. FRAZIER. You have answered the question.

Dr. KINGSBURY. He is getting headlines that misrepresent me, and I would like to say what I did say about germ warfare.

Mr. ARENS. (reading):

Dr. Kingsbury declared that the American people—

Dr. KINGSBURY. Is it a quotation?

Mr. ARENS. I am just reading what appears here in the article.

Dr. KINGSBURY. Well, I am not responsible for what the New Times writes.

Mr. BOUDIN. Mr. Chairman, may I suggest that the counsel for the committee is apparently relying, unlike us, upon Chinese and Russian reporters. This New Times is a Russian periodical. He is accepting this, and I think the record ought to show it, as conclusive, and Dr. Kingsbury is doubting it.

Mr. ARENS (reading):

Dr. Kingsbury declared that the American people must support the work of the impartial commission now in China which will investigate germ warfare in Korea.

Did you say that?

Dr. KINGSBURY. I did not, but I happen to know about that commission going, and they hadn't yet gone when that was written.

Mr. ARENS. If you did not say it, are you indignant at the author?

Dr. KINGSBURY. I am indignant at your attitude of trying to make headlines against me by reading something which gives the impression that it is in quotations, and it is not in quotations, and I never said any such thing.

Mr. FRAZIER. All right. That is fine. You deny saying it.

Dr. KINGSBURY. But he is trying to make headlines, and I want to answer it, if the reporters are going to be fair, and I think they will be.

Mr. ARENS. Are you indignant at one of your colleagues who wrote this—

Dr. KINGSBURY. Who says he is one of my colleagues? Mr. Chairman, why should you permit him to say that this man or that man is one of my colleagues? You are an American citizen, and so am I, and I am entitled to fair treatment by Members of Congress.

Mr. FRAZIER. You are getting it.

Dr. KINGSBURY. No; I certainly am not. I am getting sneers.

Mr. ARENS. Have you ever seen this article before?

Mr. BOUDIN. Mr. Chairman, when the witness is talking to you, is counsel allowed to interrupt him? The witness was addressing you at the moment, and he wanted to be heard by you.

Mr. FRAZIER. And I told him he had answered the question and told counsel to proceed with his questioning.

Mr. ARENS. Under the rules of this committee, counsel's sole function is to advise his client as to his constitutional rights.

Mr. BOUDIN. And the counsel for the committee is supposed to be polite to the witness, even though he is 80 years old.

Mr. ARENS. Have you ever seen this article before, excerpts of which I read to you from the Supplement to the New Times, July 9, 1952?

(The witness conferred with his counsel.)

Dr. KINGSBURY. I have no recollection of ever seeing the article. I am not a regular reader. I have seen copies occasionally of the New Times.

Mr. ARENS. Mr. Chairman, I ask that the photostatic copy of supplement to New Times, July 9, 1952, from which I have been reading be marked "Kingsbury Exhibit No. 7" for incorporation by reference in the record, and retained in the files of the committee.

Mr. FRAZIER. So ordered.

Mr. ARENS. Did you, after your return from the Peiping conference and from your visit to China, state that you had seen the evidence regarding germ warfare and that on the basis of the evidence you had seen, it was the kind of evidence that any American District Attorney would present to a grand jury?

Dr. KINGSBURY. That is what I said.

Mr. ARENS. Did you say that?

Dr. KINGSBURY. That is what I said.

Mr. ARENS. Now, what evidence of germ warfare, bacteriological warfare, by the United States, did you see while you were in China?

Dr. KINGSBURY. Evidenced by the United States? The United States wasn't presenting the evidence there.

Mr. ARENS. You know what I mean, now.

Dr. KINGSBURY. I saw the exhibition that they had.

Mr. ARENS. That who had?

Dr. KINGSBURY. That the Chinese had in their exhibition there.

Mr. ARENS. Well now, tell us about that, Doctor.

Dr. KINGSBURY. There were exhibits of shells that were supposed to be dropped, containing insects which carried germs. There were microscopic exhibitions of the germs that were carried. There were various other things, a whole line of things. There were the statements by the men that were supposed to have dropped them. There were recordings by them. I spent about 2 or 3 hours there with the Chinese scientists going over this.

I made no statement that it was convincing to me, but that it was very interesting evidence, and I said there was enough evidence there,

the kind of evidence, that I thought should be presented to a grand jury in America to determine whether there is enough evidence there to convict.

Mr. KEARNEY. Did you believe the evidence that was presented to you, Doctor?

Dr. KINGSBURY. I say just what I said before. I couldn't judge the evidence. But I judged some. I saw what was before me.

Mr. KEARNEY. Did you believe that the Americans were engaging in germ warfare?

Dr. KINGSBURY. I believed just what I said I believed.

Mr. KEARNEY. You have not answered the question.

Dr. KINGSBURY. I did not have to believe it. I took what was there before me and decided that it was enough to justify further investigation.

Mr. KEARNEY. In other words, you believed what the Chinese told you?

Dr. KINGSBURY. No; I didn't believe what the Chinese told me. I listened to what they told me, and I accepted it as far as I could on prima facie statement. But that wasn't finally convincing.

Mr. BOUDIN. By the way, what are you reading from? What was the quotation attributed to Dr. Kingsbury, Mr. Counsel, that you just last read?

Mr. ARENS. Counsel must be advised again that counsel's sole function before this committee is to advise the witness on his constitutional rights.

Mr. FRAZIER. You understand that, counsel. You can advise your client whenever you see fit.

(The witness conferred with his counsel.)

Mr. ARENS. As to this evidence of bacteriological warfare that you say you saw in China, was that bacteriological warfare carried on by the United States of America?

Dr. KINGSBURY. Well, that was the allegation. Those were the allegations.

Mr. ARENS. Who made the allegations to you?

Dr. KINGSBURY. They were made by the Chinese in their exhibition, of course.

Mr. ARENS. Where was this exhibition?

Dr. KINGSBURY. Well, it was in Peiping.

Mr. ARENS. In what establishment?

Dr. KINGSBURY. Well, my dear man, I can't remember. It was in some public building where they had had exhibitions of one kind or another.

Mr. ARENS. Who displayed this exhibition to you?

Dr. KINGSBURY. Scientists, a group of Chinese scientists, who invited me to come and see it.

Mr. ARENS. Did you take any photographs of it?

Dr. KINGSBURY. I did not.

Mr. ARENS. Could you tell us in your own words, now, just what you did see?

Dr. KINGSBURY. I told you part of it. I don't remember all.

Mr. ARENS. Tell us all of it. What did you see there?

Dr. KINGSBURY. I don't know that I can tell you all of it. I will tell you all I remember.

In the first place, I saw the shells that were alleged to have contained the germs that were dropped, the insects carrying germs that were dropped. I saw those. They had a battery of microscopes there, and I saw the different microscopic views of the germs that were said to have been carried by these insects. I forget what they were. Some ants and other insects.

I saw the statements in what was alleged to be the handwriting of certain of the men who claimed to have dropped these germs. I think I heard a recording of what was alleged to be their voices.

Well, there were various other things there. I can't remember what they all were.

Mr. ARENS. Doctor, how long did you stay in Peking?

Dr. KINGSBURY. Well. I was in Peiping for about, I would say, a week or 10 days, until the preparatory conference adjourned. And my invitation that I got from Kuo Mo-jo was to stay on and travel in China and study the public health and social welfare in different cities. So I left Peiping and went on a tour of China.

Mr. ARENS. And was that at the expense of the Communists?

Dr. KINGSBURY. Of whom?

Mr. ARENS. Of the Communists?

Dr. KINGSBURY. I couldn't say whether they were Communists or not.

Mr. ARENS. At whose expense was it?

Dr. KINGSBURY. It was at the expense of the committee, the peace committee.

Mr. ARENS. This peace committee?

Dr. KINGSBURY. Yes. I don't know whether they are all Communists. I suppose there were plenty of Communists among them, but when you say they were Communists, that gives a bad connotation.

Mr. ARENS. I would agree with you on that, that it does give a bad connotation.

How long did you tour China, Red China?

Dr. KINGSBURY. I toured People's China, leaving Peiping—that is the correct name of it—for about 4 weeks, I should say, 3 or 4 weeks.

Mr. ARENS. Did you see any evidence there of the slave labor camps or of the mass executions and starvations that the Communists had inflicted upon that unhappy land?

Dr. KINGSBURY. I didn't see any evidence of that.

Mr. ARENS. And who accompanied you, if you please?

Dr. KINGSBURY. I was accompanied by a number of people that were going on this same trip, some people from Australia, others from New Zealand, other delegates.

Mr. ARENS. To your knowledge, any other citizens from the United States?

Dr. KINGSBURY. No, no other citizens from the United States. In fact, I think I was the first citizen of the United States to be invited there since what they call their liberation.

Mr. ARENS. And all of your expenses there were paid by the peace people?

Dr. KINGSBURY. I have said that at various times. They were.

Mr. ARENS. We want to get the record clear on that.

Dr. KINGSBURY. I should think the record would be clear by now.

Mr. ARENS. Yes, it is clear now.

Where did you go next?

Dr. KINGSBURY. Do you want me to tell the places I visited in China?

Mr. ARENS. No. After you made this tour around China, where did you go next?

Dr. KINGSBURY. From there I went back to the West over the same route, through Siberia, and stopped over in Moscow to change planes and was there another day or two before going on from there.

Mr. ARENS. While you were again in Moscow, did you have any conferences there?

Dr. KINGSBURY. Oh, I saw my friends who were in the VOKS.

Mr. ARENS. This Chinese organization?

Dr. KINGSBURY. No. This is not the peace organization. That is one group. It is the Society for Cultural Relations. It is like a membership corporation here. It is independent, elects its directors, has memberships all over. And it was under their auspices that I came the first time, and they entertained me. And I wanted to go out and see another chicken farm. I wanted to see the health work in the vicinity. And so I traveled about for a couple of days.

Mr. ARENS. Did you have any Chinese stamp or visa in your passport at any place, Doctor, do you recall?

Dr. KINGSBURY. No, I don't think there were any in the passport.

Mr. ARENS. Why did you not have them put a stamp in your passport showing permission to travel in China?

Dr. KINGSBURY. I didn't handle the passport, as I told you. The passport was taken and handled for me.

Mr. ARENS. All right, sir.

Did you receive any money when you were in Moscow this time?

Dr. KINGSBURY. In Moscow?

Mr. ARENS. Yes.

Dr. KINGSBURY. No, I didn't.

Mr. ARENS. Who was paying your expenses, then, from Red China on into Moscow?

Dr. KINGSBURY. I was the guest of the Chinese and it was my understanding from the beginning, from the time I left Peiping until I got back to Paris, and they got the tickets.

Mr. SCHERER. May I interrupt at this time?

Mr. FRAZIER. For a question, yes.

Mr. SCHERER. Doctor, did you know at that time, immediately prior to the time you went into Peiping, that the State Department did not permit Americans to travel to Peiping?

Dr. KINGSBURY. No, I didn't know it.

Mr. SCHERER. You did not know that?

Dr. KINGSBURY. No. As a matter of fact, I found out later; it was published in the papers, but not prior to that time. Subsequently, it was published in the papers.

Mr. SCHERER. Not prior to the time of the conference?

Dr. KINGSBURY. Not prior to the time I left the conference.

Mr. ARENS. Well, you were not in the conference.

Dr. KINGSBURY. I was at the conference, yes.

Mr. ARENS. You were in the preparatory conference.

Dr. KINGSBURY. The preparatory conference was what I thought he was talking about.

Mr. ARENS. I want the record to be clear, Congressman. The conference he participated in in Peiping was not the Peiping conference. He participated in the conference setting up the Peiping conference.

Mr. SCHERER. What was that called? The Peiping Peace Conference?

Dr. KINGSBURY. It was called the preparatory conference for the conference to follow, presumably, of the Pacific and Asian countries.

Mr. ARENS. And when did that take place?

Dr. KINGSBURY. That took place in the autumn. It was October, wasn't it? The regular conference? In October.

Mr. ARENS. You said you didn't know that the State Department, that this Government, prohibited travel by Americans.

Dr. KINGSBURY. The State Department had prohibited it after what I went to, the preparatory conference. I am afraid, Mr. Congressman, you are confusing the two conferences.

Mr. ARENS. After you returned to Paris, where did you go?

Dr. KINGSBURY. I went to London. I was on my way home. I went to London en route to get my boat home.

Mr. ARENS. Then you came home, back to the United States?

Dr. KINGSBURY. Yes.

Mr. ARENS. When you came back to the United States, did you set up committees, or a committee, to rally support for the proposed Peiping conference which was going to take place in the fall?

Dr. KINGSBURY. I did not.

(The witness conferred with his counsel.)

Mr. BOUDIN. I think that should be made clear for the record. The witness can indicate a problem that I noticed here.

Dr. KINGSBURY. Yes. My counsel has shown me a statement dated, I think, the 1st of May or something like that from the State Department in regard to this prohibition.

Mr. BOUDIN. Not prohibiting travel, but saying that passports could not be used for travel.

Dr. KINGSBURY. But, as a matter of fact, I saw the statement published to that effect. I am not sure whether it was after I returned from China. I did not get papers over there very much, naturally. But after that, it was published. It hadn't been published before I went.

Mr. SCHERER. Let me get this clear, because I have something that the doctor wrote himself.

You found out about the State Department prohibition when?

Dr. KINGSBURY. I don't know just when it was, but after I had gone, sometime after that. I think it was after I got back, as a matter of fact.

Mr. SCHERER. When did you get back?

Dr. KINGSBURY. There is no statement as to a prohibition, is there?

Mr. SCHERER. You recognized that there was such a policy on the part of the State Department, did you not?

Dr. KINGSBURY. No, I didn't.

Mr. SCHERER. You wrote an article, did you not, in New China Today? You wrote that article, did you not?

Dr. KINGSBURY. When was that? What date?

Mr. SCHERER. Well, it does not give the date. Impressions of China, by Dr. John Adams Kingsbury.

Dr. KINGSBURY. In what paper?

Mr. SCHERER. Well, it was published in People's China.

Dr. KINGSBURY. People's China. Not New China Today?

Mr. SCHERER. No. People's China.

Dr. KINGSBURY. Is it entitled "The Work, My Friends, Is Peace"?

I wrote an article in which I tried to show what President Roosevelt's attitude was toward peace.

Mr. SCHERER. Nobody quotes you. This is an article written by you. It is in New China Today. Impressions of China by Dr. John Adams Kingsbury, delegate to the preparatory conference of the Asian Pacific Peace Conference.

Dr. KINGSBURY. May I see it?

Mr. SCHERER. Yes, I will let you see it.

(The witness conferred with his counsel.)

Dr. KINGSBURY. I never wrote this article for New China Today.

Mr. SCHERER. You did not?

Dr. KINGSBURY. No. But I will tell you where they got it.

When I came back from China, the Saugerties Press, which is in my county where I live, wanted to interview me. The editor called me up several times. And I told him that if he would submit his questions to me, about which he wanted to interview me, I would endeavor to answer those questions.

Mr. SCHERER. Those don't answer the questions of any reporter. That is an article.

Dr. KINGSBURY. Mr. Chairman, I did not write that.

Mr. SCHERER. Well, let me finish.

Dr. KINGSBURY. You asked me if I wrote that article for this journal, and I said no.

Mr. SCHERER. I did not ask whether you wrote it for that journal or not. It is published in that journal.

Dr. KINGSBURY. Well, I didn't write it. This is an abridgement of the interview that I gave to the Saugerties Press in Ulster County, that somebody has taken and abridged. How much they have changed it, I don't know. It is very much abridged. And it says here:

For reasons of space, the article has been slightly abridged.

Well, I'll say it has been slightly abridged.

Mr. SCHERER. You say they changed it? Or did they just reduce it?

Dr. KINGSBURY. How can I know?

Mr. SCHERER. Did you ever see that article?

Dr. KINGSBURY. No; I never saw that article in here, but I recognize right away where it comes from. The article I wrote was about 6,000 words and this been abridged to, well, 1,500 words maybe, less than 3,000. I should say about two thousand.

How can I tell how they abridged it? If they abridge an article, they can change the significance of it. I did not write that article.

Mr. KEARNEY. Did you ever see that article before?

Dr. KINGSBURY. No; I never saw the article in that paper before.

That shows what they can do to you and what people can do to you if they want to do it.

Mr. SCHERER. Everyone who has ever reported anything that you have said, Doctor, seems to have either misquoted you completely or reported something that you did not say at all.

Mr. BOUDIN. Only the material produced here, Mr. Chairman.

Mr. SCHERER. Did you say this, in the original article that you wrote, before it was abridged:

With the support of conservative citizens who believe in our Bill of Rights, who believe Americans have the right to criticize the policy of the Government, who believe in the right to a passport and the right to travel abroad, with the support of such citizens, especially in an election year, it is possible that we may be able to secure a delegation of representative Americans to attend the Peiping Peace Conference of Asian and Pacific regions.

Dr. KINGSBURY. That I think has been introduced into the article. I don't think I ever said that in the article. I would have to go back and get the article from which I recognize that has been abridged to see how they abridged.

Mr. SCHERER. You say you do not think you even said that?

Dr. KINGSBURY. No, I don't think I even said that, but I would like to compare that with the original.

Mr. SCHERER. Where is the original article?

Dr. KINGSBURY. I have it in my files.

Mr. SCHERER. I think we should subpoena that original article.

Mr. BOUDIN. You don't have to subpoena it. We will send it to the committee. We will be happy to.

Mr. SCHERER. You say, you do not think you said this? Or you didn't say it?

Dr. KINGSBURY. When it is all these years, at my age, how can I say, when I don't see the actual article they have abridged? People often introduce material.

Mr. SCHERER. I am wondering, with these years that have elapsed, and your age, how you can say you did not say this, or how somebody who did the abridging always misquotes you.

Dr. KINGSBURY. The misquotations you are giving me are all from your records, and not from my records. I do not know where you got it.

Mr. FRAZIER. All right. Proceed.

Mr. ARENS. A photostatic copy of an article appearing in the Daily People's World of September 9, 1952, is entitled "Committee to Rally United States Support for Asia and Pacific Peace Meet," reads:

Prominent Americans have organized a committee to further the participation of people in this country in the peace conference of the Asian and Pacific regions.

Among those who are listed as sponsors of this committee: Dr. John A. Kingsbury.

I ask you if that article refreshes your recollection as to whether or not you did participate in the committee to enlist people to go to the Peiping Peace Conference?

Dr. KINGSBURY. What paper is that from?

Mr. ARENS. The Communist Daily People's World.

(The witness conferred with his counsel.)

Dr. KINGSBURY. I don't recall becoming a sponsor of any such committee.

Mr. ARENS. Do you deny, Doctor, that you were a sponsor of the United States Sponsoring Committee for Participation in the Peace Conference of the Asian and Pacific Regions?

Dr. KINGSBURY. I told you that I don't recall ever becoming a sponsor for any such a committee.

Mr. ARENS. Do you recall having any participation in any such committee?

Dr. KINGSBURY. No.

Mr. ARENS. Do you recall the existence of any such committee?

Dr. KINGSBURY. No, I didn't even recall that there was any such committee. There may have been. I don't doubt that there was.

Mr. ARENS. Did you know of the work in which Dr. Uphaus was engaged, in getting people to go to the Peiping Peace Conference?

Dr. KINGSBURY. I beg your pardon.

Mr. ARENS. Do you recall the work in which Dr. Uphaus was engaged in getting people to go to the Peiping Peace Conference?

Dr. KINGSBURY. I don't recall. I know that he was active, but I don't know just what he did or what committees he belonged to.

Mr. ARENS. Now I lay before you a photostatic copy of an advertisement:

New York-Peking Peace Meet, Thursday, September 25, 8:00 p. m., City Center Casino, New York; Chairman, Dr. John A. Kingsbury.

It is an advertisement appearing in the Communist Daily Worker of September 22, 1952. And I ask you if that refreshes your recollection as to what you might have done to get people to go to the Peiping Peace Conference.

According to that, you were chairman of the meeting.

Dr. KINGSBURY. Yes. I think I recall presiding at a meeting where these people spoke. But that doesn't, of course, indicate that I was a sponsor of the meeting. I presided at the meeting.

Mr. ARENS. That was a meeting to get people to go to the Peiping Peace Conference, was it not?

Dr. KINGSBURY. Does it say so?

Mr. ARENS. Don't you recall?

(The witness conferred with his counsel.)

Dr. KINGSBURY. It is entitled "Salute to the Peace Conference of the Asian and Pacific Regions."

Mr. ARENS. What is the date of this meeting at which you were the presiding officer?

Dr. KINGSBURY. September 25.

Mr. ARENS. Was that not before the Peiping Peace Conference in Red China?

Dr. KINGSBURY. Yes. I think it was in October.

Mr. ARENS. Tell us what transpired at that meeting at which you were chairman, to salute the coming Peiping Peace Conference.

Dr. KINGSBURY. These people made speeches saluting the people and indicating their sympathy with the idea, presumably. I don't remember any of the speeches. There were some remarkable speeches, Hugh Dean and Paul Robeson. I don't remember any of the others. I don't remember their speeches in detail. But I do remember presiding at such a meeting.

Mr. ARENS. Did you happen to know a person by the name of Mary Russak?

Dr. KINGSBURY. Who?

Mr. ARENS. Mary Russak.

Dr. KINGSBURY. Mary Russak. I don't recall.

Mr. ARENS. She is sitting right here in the hearing room.

Have you had occasion to meet her while you were here?

Dr. KINGSBURY. Yes. I didn't know her name was Mary Russak.

Mr. ARENS. Now, tell us what you did in concert with her, if anything—

Dr. KINGSBURY. Where?

Mr. ARENS. Let me finish the question, please, sir—toward developing interest in the Peiping Peace Conference?

Dr. KINGSBURY. I don't recall doing anything with her.

Mr. ARENS. Did you have any activities in concert with her at all in the course of your work for peace?

Dr. KINGSBURY. She may have come to see me and talked to me about it, but I don't recall what it was about.

Mr. ARENS. Now, I lay before you another document.

United States Sponsoring Committee for Representation at the Congress of the Peoples for Peace. Let's Talk It Over. United States Call for Representation at the Congress of the Peoples for Peace—

and a partial list of the sponsoring committee includes Dr. John A. Kingsbury.

I ask you whether or not you recall being a sponsor of that particular call for representation at the Congress for Peace at Vienna.

Dr. KINGSBURY. What year was that?

Mr. ARENS. 1952.

Dr. KINGSBURY. Is this the conference at which I participated?

Mr. ARENS. At Vienna. 1952.

Dr. KINGSBURY. Oh, 1952.

Mr. ARENS. This is the 1952 conference.

Dr. KINGSBURY. Oh, the 1952 conference. No, I wasn't there. I don't recall becoming a sponsor or authorizing it, but it looks genuine.

Mr. ARENS. Let me show you the letterhead of this organization:

U. S. Sponsoring Committee for Representation at the Congress of the Peoples for Peace, Partial List of Sponsors.

"Dr. John A Kingsbury" on the letterhead.

Does that refresh your recollection any?

Dr. KINGSBURY. I don't happen to recall it definitely, but evidently I did. This letterhead seems to indicate that I did.

Uphaus wrote me, asking me to sponsor various things.

Mr. ARENS. Mr. Chairman, I ask that the letterhead of the above-named committee be incorporated by reference in the record, marked "Kingsbury Exhibit No. 8", and retained in the files of the committee.

Mr. FRAZIER. It may be so incorporated in the record.

Mr. ARENS. Did you become a sponsor of a committee to work for participation by United States citizens in the Congress of the Peoples for Peace to be held in Vienna in December 1952?

Dr. KINGSBURY. That seems to indicate that I did. But I didn't recall it offhand.

Mr. ARENS. Do you now have any recollection of your activities?

Dr. KINGSBURY. I have no more recollection than I indicated, because I was in the country and I would get a letter. And I believed it was a very good thing, of course, to have it. I have indicated that already.

I wouldn't have taken part, in the first place, if I didn't.

Mr. ARENS. Did you know at the time that you were a member of the sponsoring committee that the State Department had condemned the conference as a Communist propaganda movement?

Dr. KINGSBURY. I have no recollection of it.

Mr. KEARNEY. In other words, Doctor, do you have any recollection of any of these movements as being Communist-sponsored?

Dr. KINGSBURY. I was asked to join various things and sponsor various things. I was off up in the country, and sometimes I sponsored them, and sometimes I said, "Yes"; and sometimes I said, "No".

Mr. KEARNEY. To those you said "Yes"—you went into those without looking into the background?

Dr. KINGSBURY. I knew in general that I was in favor of their going ahead with this conference, of course.

Mr. KEARNEY. Regardless of whether they were Communist-sponsored or not?

Dr. KINGSBURY. I didn't consider they were Communist-sponsored. They were sponsored by Americans.

Mr. KEARNEY. You never took the trouble to find out, did you?

Dr. KINGSBURY. I just knew who some of the people were.

Here is Professor Fairchild. He is not a Communist. I know that. And there are plenty of them that are not, I presume.

Mr. KEARNEY. You know some of these names mentioned by counsel to be members of the Communist Party, do you not?

Dr. KINGSBURY. No, I don't know anybody I can say definitely who is a member of the Communist Party. How can I? I know what has been said.

Now, here is Robert Morss Lovett. He was not a member of the Communist Party.

And here is Rev. William Howard Melish. He has denied that he is.

Prof. Philip Morrison, a very distinguished man.

Mr. Moulton of Utah certainly is not. He has said he is not. I am sure he isn't. As a matter of fact, here are several others that I talked to and have seen their statements. So I wouldn't consider it a Communist committee. There may be Communists on it. I wouldn't know whether there are or not.

Mr. ARENS. Do you recall knowing a man by the name of Hugh Hardyman?

Dr. KINGSBURY. I met Hugh Hardyman out in California.

Mr. ARENS. Do you recall any conversations you may have had with him respecting his attendance at the Peiping Peace Conference?

Dr. KINGSBURY. I heard him make a speech telling what he had done there, and I spoke on the same platform with him.

Mr. ARENS. Well, did Hardyman and you have any correspondence or any conversation prior to the time that Hardyman actually went to Peiping to attend the Peiping Peace Conference?

(The witness conferred with his counsel.)

Dr. KINGSBURY. I recall that he wrote me a letter saying that he wanted to go. I answered that letter, in which I said that I didn't know how I could help him in any way. I think he said he was an Australian citizen.

I think I said, "If that is the case, why don't you go from the country from which you are a citizen?"

Mr. ARENS. Did you actually solicit people, urge people, to go to the Peiping Peace Conference?

Dr. KINGSBURY. I would say "No," that I didn't solicit people. I suggested to them some people. I suggested to someone in China who wrote me. It was Talitha Gerlach, who was associated with Madam Sun-Yat-sen. I thought it would be a good idea for her to go, as a citizen.

Mr. ARENS. Didn't she at one time live in America?

Dr. KINGSBURY. I think she is an American citizen.

Mr. ARENS. And you say she is, or was at the time you had correspondence with her, employed by the Chinese Government out there, the Red Government of China?

Dr. KINGSBURY. She is, as far as I know, employed by Madam Sun-Yat-sen.

Mr. ARENS. In Red China?

Dr. KINGSBURY. In People's China.

Mr. ARENS. Now, Doctor, you didn't attend, did you, the second Vienna conference in 1952?

Dr. KINGSBURY. No.

Mr. ARENS. Now, inviting your attention, if I may, please, to December of 1952, do you recall a session in which Isobel Cerney made a report, out on the coast, respecting the Peiping conference?

Dr. KINGSBURY. Yes, I do.

Mr. ARENS. Were you one of the sponsors of Isobel Cerney's meeting, in which she made that report?

Dr. KINGSBURY. I was one of the speakers at the meeting. I was not a sponsor of the meeting. The meeting was organized, I think, by the labor school, or else the American-Russian Institute of California.

Mr. ARENS. And you went out and spoke; is that correct?

Dr. KINGSBURY. I went out and spoke; that is correct.

Mr. ARENS. And who paid your expenses?

Dr. KINGSBURY. I think it was the American-Russian Institute. At least, they paid part of it.

Mr. ARENS. Now, in January of 1953, did you make a speech in Los Angeles on an occasion at which Miss Odetta Felious was a featured entertainer, the Southern California Peace Crusade?

Dr. KINGSBURY. No, I was not in California in 1953.

Mr. ARENS. Not at all? Not even in January of 1953?

Dr. KINGSBURY. Not at all.

Mr. BOUDIN. Can we go off the record for a moment, Mr. Chairman? Or on the record.

It seems to me when counsel suggests by reading a document that the witness may have been somewhere, that ought to be shown to the witness. Because it is conceivable that a man could forget a detail, and I don't want the record to contain any incorrect statement.

Mr. ARENS. Well, I generally do.

In January of 1953, do you have recollection of making a speech at that meeting alluded to?

Mr. BOUDIN. It says that Dr. Kingsbury will report at the meeting. It doesn't say he did.

Dr. KINGSBURY. No, in 1953 I certainly was not a delegate.

Mr. ARENS. You weren't able to make it there; is that correct?

Dr. KINGSBURY. I don't think I ever accepted such an invitation. I don't know why they put that in.

Mr. ARENS. Now, in 1955, were you appointed to the World Peace Council, do you recall?

Dr. KINGSBURY. Yes. I think so. I think I was appointed before that. I believe that was a reappointment.

Mr. ARENS. That was a reappointment to the World Peace Council. And who reappointed you?

Dr. KINGSBURY. The council.

Mr. ARENS. And who was he?

Dr. KINGSBURY. The council.

Mr. ARENS. Oh, the World Peace Council?

Dr. KINGSBURY. Yes.

Mr. ARENS. And in what capacity were you appointed?

Dr. KINGSBURY. Just in my own capacity, I presume, as a man who is known to be interested in peace.

Mr. ARENS. Let us allude again to this meeting back in January in 1953. Are you pretty positive in your own mind that you do not recall going there, to southern California?

Dr. KINGSBURY. Yes, I am. I can look it up in my diary and see where I was. But I am sure I would know if I went back to California in 1953.

Mr. ARENS. Do you know a person by the name of Anita Bell Schneider?

Dr. KINGSBURY. Yes.

Mr. ARENS. What was the nature of your acquaintanceship with her?

Dr. KINGSBURY. She was the chairman of—I think they called it the Peace Crusade of the San Diego section. And I was invited there to speak in 1952 when I was out there. I think it was in the winter of—

Mr. ARENS. And what was the organization before which you spoke there?

Dr. KINGSBURY. Let me see.

Now you have refreshed my mind. I didn't leave. I went from there up to my old home in Seattle for my vacation about the first of the year. And I was thinking I had come back here before that time. So I was down there—I don't know what the date was, but I think it was before 1953.

Mr. ARENS. Did you ever identify yourself to her as a Communist?

Dr. KINGSBURY. I certainly didn't.

Mr. ARENS. Do you know that she has testified under oath that you did identify yourself to her as a Communist?

Dr. KINGSBURY. No; I didn't know that she had done that.

Mr. ARENS. May I read you some of the testimony:

Dr. Kingsbury told me of his early activities before the Communist Party was organized in the Socialist Party, and how he became a Communist when it was set up.

Did you make such a statement to her?

Dr. KINGSBURY. May I see what you are reading from?

Mr. ARENS. Just the printed testimony.

Dr. KINGSBURY. Where and when?

Mr. ARENS. She testified June 27, 1955, in Los Angeles before this committee.

Dr. KINGSBURY. I didn't know. I saw that she had testified, but I didn't see that she made any such reference to me, and it certainly is not true.

I was entertained by her in her house when I went down there and had a very agreeable visit with her and her children and got her son examined, and we had a very nice time.

I didn't have the slightest idea that I was in the home of an informer. It didn't make any difference, anyhow. I never made any such statement to her.

Mr. ARENS. Where did you pick up that term "informer"?

Dr. KINGSBURY. That is in literature every day. You know that perfectly well.

Mr. ARENS. Are you a member of the National Conference To Repeal the Walter-McCarran Law and Defend Its Victims?

Dr. KINGSBURY. Of what committee?

Mr. ARENS. The National Conference To Repeal the Walter-McCarran Law and Defend Its Victims. Are you a sponsor of that organization?

Dr. KINGSBURY. I don't think so.

Mr. ARENS. I lay before you a photostatic copy of the letterhead of that national conference, where there appears as one of the sponsors Dr. John A. Kingsbury, and I ask you whether or not that refreshes your recollection?

Mr. BOUDIN. May I ask how long counsel will be?

Mr. ARENS. I would say another half hour.

Mr. BOUDIN. Then I think we ought to have a brief recess.

Dr. KINGSBURY. This is a committee of the American Committee for Protection of Foreign Born. I am a sponsor of that committee.

Mr. ARENS. Are you currently a sponsor of that committee?

Dr. KINGSBURY. Yes, I am currently a sponsor of that committee.

Mr. ARENS. You know of course that that committee has been cited by the agencies of the United States Government as an arm of the Communist International, do you not?

Dr. KINGSBURY. As an arm of the Communist International?

Mr. ARENS. Yes, it is part of the international Communist conspiracy, a Communist-controlled organization.

Dr. KINGSBURY. I never knew that. I knew it had been cited as a subversive organization, as is the National Council of American-Soviet Friendship, of which I am chairman.

(The witness conferred with his counsel.)

Mr. FRAZIER. We will take a 5-minute recess.

(Short recess.)

Mr. FRAZIER. The committee will come to order.

Proceed, Mr. Counsel.

Mr. ARENS. Doctor, what is your present post or position?

Dr. KINGSBURY. I am retired. And I am the chairman of the National Council of American-Soviet Friendship. That is not a post or position. I accepted the responsibilities.

Mr. KEARNEY. Counsel, may I ask the doctor:

You can either keep this on the record of off. What is that title of "doctor"? What are you?

Dr. KINGSBURY. I am a doctor of laws.

Mr. KEARNEY. You are not an M. D., are you?

Dr. KINGSBURY. No, but I have had most of my training in that field. I have studied at Johns Hopkins with Dr. Welch and all the distinguished men there. But my work has been in public health.

Mr. FRAZIER. I want to make an announcement that this will be the last witness for this afternoon. The committee will convene at 10 o'clock in the morning for continuance of the hearings.

Mr. ARENS. Doctor, have you ever been identified with the Abraham Lincoln School in Chicago, do you recall?

Dr. KINGSBURY. No; I am sure I haven't been.

Mr. ARENS. I lay before you now a document entitled "Abraham Lincoln School, winter session, 1944," in which is listed Dr. John A. Kingsbury, B. A., Central College, Fayette, Mo., Divinity School, University of Chicago. Is that yourself?

Dr. KINGSBURY. That must be some other.

Mr. ARENS. Some other Kingsbury? Have you ever been identified with the Committee for a Democratic Far Eastern Policy?

Dr. KINGSBURY. Who is the head of it?

Let me see who is the head of it. I think I have made contributions to it, but I don't think I am a member.

Mr. ARENS. Have you been a sponsor of it?

Dr. KINGSBURY. I may have been.

Mr. ARENS. I invite your attention to this document, indicating John A. Kingsbury as a sponsor.

Dr. KINGSBURY. Yes.

Mr. ARENS. Look on the back.

Dr. KINGSBURY. I don't have to look on the back. I have been a sponsor of that committee and have made contributions to it.

Mr. ARENS. Have you been a member of the advisory editorial council of a publication known as Soviet Russia Today?

I lay before you a photostatic copy of the face sheet of that publication and ask you whether or not that prompts your recollection?

Dr. KINGSBURY. Possibly I was. I didn't remember it, but evidently I am. I have been interested in it for a number of years.

Mr. KEARNEY. You say, Doctor, possibly you were.

Dr. KINGSBURY. Evidently I was. I don't deny that that is accurate. But I did not do very much advising.

Mr. ARENS. Have you been an author of publications and articles in New Masses; do you recall?

Dr. KINGSBURY. New Masses?

Mr. ARENS. I lay before you now a photostatic copy of New Masses, with an article by Dr. Kingsbury.

Dr. KINGSBURY. Yes; I remember that very well.

Mr. ARENS. Mr. Chairman, I respectfully suggest that we conclude the staff interrogation of this witness.

Dr. KINGSBURY. Mr. Chairman, may I make a statement?

Mr. FRAZIER. Wait just a minute.

Any questions, Mr. Scherer?

Doctor, you have been testifying here nearly all day. I do not think that you can add anything.

Dr. KINGSBURY. It won't take but a moment.

I was asked in the subpoena to look up all my passports and bring them all. I brought all that I had. And I thought you would be interested in them, and particularly the first passport I had in 1924, which was accompanying, I found, a letter from Charles E. Hughes, Secretary of State, saying that he took pleasure in addressing the dip-

lomatic and consular services to commend me and my wife, who was traveling with me through the Balkans at that time.

Mr. SCHERER. I am sure he would have never written such a letter after you participated in the Peiping Peace Conference and did what you did while our boys were fighting in Korea.

Dr. KINGSBURY. There are two other letters.

Mr. FRAZIER. The committee will recess until 10 o'clock tomorrow morning.

(Whereupon, at 3:55 p. m., Thursday, May 24, a recess was taken until 10 a. m., Friday, May 25, 1956.)

INVESTIGATION OF THE UNAUTHORIZED USE OF UNITED STATES PASSPORTS—PART 2

FRIDAY, MAY 25, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities convened, pursuant to recess, at 10:10 a. m., in the caucus room of the Old House Office Building, Hon. James B. Frazier, Jr., presiding.

Committee members present: Representatives James B. Frazier, Jr., of Tennessee, Edwin E. Willis, of Louisiana, Bernard W. Kearney, of New York, and Gordon H. Scherer, of Ohio.

Staff members present: Richard Arens, director, and Donald T. Appell, investigator.

Mr. FRAZIER. The committee will come to order.

Let the record show that the chairman appointed a subcommittee composed of Mr. Willis, Mr. Kearney, Mr. Scherer and Mr. Frazier to conduct the proceedings this morning.

Call your first witness.

Mr. ARENS. Mrs. Mary Russak.

Please remain standing while the chairman administers the oath to you.

Mr. FRAZIER. Raise your right hand, please.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Mrs. RUSSAK. I do.

TESTIMONY OF MARY SIEGEL RUSSAK, ACCOMPANIED BY COUNSEL, JOSEPH FORER

Mr. ARENS. Will you please identify yourself by name and residence.

Mrs. RUSSAK. Mary Russak, 23 East 124th Street, New York City.

Mr. ARENS. You are appearing today, Mrs. Russak, in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mrs. RUSSAK. Yes.

Mr. ARENS. Are you represented by counsel?

Mrs. RUSSAK. Yes.

Mr. ARENS. Will counsel please identify himself?

Mr. FORER. Joseph Forer, 711 14th Street, NW., Washington, D. C.

Mr. ARENS. Would you kindly give us just a word of your personal history, where you were born and your early educational life?

Mrs. RUSSAK. I was born in Portsmouth, N. H. I graduated from Radcliffe College in 1926, and then I went to the graduate school of Jewish social work.

Mr. ARENS. Would you tell us your maiden name, please.

Mrs. RUSSAK. Siegel.

Mr. ARENS. When did you complete your formal education?

Mrs. RUSSAK. You mean my college education?

Mr. ARENS. Yes.

Mrs. RUSSAK. 1926.

Mr. ARENS. Give us, if you please, just a brief sketch of the employments which you have had since you completed your college education.

Mrs. RUSSAK. I decline to answer that question on the basis of my rights under the first amendment and my privilege under the fifth amendment not to be a witness against myself.

Mr. ARENS. Do you honestly apprehend that if you told this committee truthfully the employments which you have had since you completed your formal education, you would be supplying information which could be used against you in a criminal proceeding?

(The witness conferred with her counsel.)

Mrs. RUSSAK. It is possible.

Mr. ARENS. Have you ever been employed by the National Refugee Service?

Mrs. RUSSAK. I decline to answer for the same reason.

Mr. ARENS. I put it to you as a fact, Mrs. Russak—

Mr. FORER. The witness would like to change her answer on that.

Mr. ARENS. Have you ever been employed by the National Refugee Service?

Mrs. RUSSAK. Yes, I have.

Mr. ARENS. When were you employed by the National Refugee Service?

Mrs. RUSSAK. To the best of my recollection, from 1937 to 1941. It changed its name at one point.

Mr. ARENS. In what capacity were you employed?

Mrs. RUSSAK. As a social worker.

Mr. ARENS. What was your next employment following that with the National Refugee Service?

Mrs. RUSSAK. It changed its name, the same organization changed its name to the New York Association for New Americans.

Mr. ARENS. Did you then continue employment in the New York Association for New Americans?

Mrs. RUSSAK. Yes.

Mr. ARENS. What was the purpose of this organization, New York Association for New Americans, and the predecessor organization, the National Refugee Service?

Mrs. RUSSAK. To help new immigrants coming from formerly Nazi-dominated countries to adjust to the United States, get settled in the United States.

Mr. ARENS. How long were you employed with this organization which you have just identified?

Mrs. RUSSAK. To 1951.

Mr. ARENS. Then tell us, if you please, what was your employment beginning in 1951.

(The witness conferred with her counsel.)

Mrs. RUSSAK. I decline to answer for the reasons given before.

Mr. ARENS. Mrs. Russak, beginning in 1951 or thereabouts, you became secretary for the American Women for Peace, did you not?

(The witness conferred with her counsel.)

Mrs. RUSSAK. No; I did not.

Mr. ARENS. Did you ever have an identification with the American Women for Peace?

(The witness conferred with her counsel.)

Mr. FORER. Would you explain what you mean by identification?

Mr. ARENS. Have you ever been employed by the American Women for Peace in any capacity?

Mrs. RUSSAK. No.

Mr. ARENS. Have you ever been associated officially with the American Women for Peace?

Mrs. RUSSAK. No.

What do you mean by "officially"?

Mr. ARENS. Have you ever been an officer or member of the American Women for Peace?

(The witness conferred with her counsel.)

Mrs. RUSSAK. I was not an officer and I don't remember if I was a member.

Mr. ARENS. Were you identified with the New York Labor Conference for Peace?

Mrs. RUSSAK. I decline to answer that for reasons given before.

Mr. ARENS. Have you been identified with the American Peace Crusade?

Mrs. RUSSAK. I decline to answer that for the reasons given before.

Mr. ARENS. Have you ever traveled abroad?

Mrs. RUSSAK. Yes.

Mr. ARENS. I now lay before you, if you please, a photostatic copy of an application for a passport bearing the signature of Mary Siegel Russak and ask you if you will kindly identify that application as the application which you made to travel abroad.

(The witness conferred with her counsel.)

Mrs. RUSSAK. Yes.

Mr. ARENS. Now, I lay before you a photostatic copy of a letter dated August 4, 1950, to the Passport Office of the Department of State, bearing the signature Mary Russak, and ask you if you will kindly identify that as a letter which you sent to the Passport Office in connection with your application?

(The witness conferred with her counsel.)

Mrs. RUSSAK. Yes; that is my letter.

Mr. ARENS. Your subpoena today called for you to produce the passport which was issued to you pursuant to this application. Do you have that passport?

Mrs. RUSSAK. Yes, I do.

Mr. ARENS. Would you kindly produce it now and transmit it to me as a representative of this committee?

Mrs. RUSSAK. I would like to get it back.

Mr. ARENS. We will see that it is returned to you.

Now I invite your attention to the countries to be visited, as indicated upon your passport application which you have just identified. I observe here Sweden, Czechoslovakia, and Poland. Did you cause those entries to be made in this passport application?

Mrs. RUSSAK. Czechoslovakia and Poland.

Mr. ARENS. Mr. Chairman, I suggest that the passport application, the accompanying letter and the passport itself be marked "Russak Exhibit No. 1" and incorporated by reference in this record.

Mr. FRAZIER. Let it be so incorporated.

(The document was incorporated as part of the record by reference.)

Mr. FORER. But the passport we will get back?

Mr. ARENS. Yes.

Where did you go pursuant to the passport issued to you in 1950?

Mrs. RUSSAK. I went to France, Belgium, Czechoslovakia, Poland, Uruguay, Argentina, England, Germany, East Germany, and Rumania.

Mr. ARENS. Tell us what you did on the trip in each one of these countries.

(The witness conferred with her counsel.)

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. Did you attend the World Peace Congress in Warsaw, Poland?

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny it is a fact that you did attend the Second World Peace Congress in Poland in 1950 on the American passport?

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. I lay before you now a photostatic copy of an article appearing in the Daily Worker for January 25, 1951, and invite your attention to this article, Bronx Women to Hold Forum on Peace.

In this article which I am now addressing your attention to appears, among other things, the following:

Mrs. Mary Russak, who was a delegate to the Second World Peace Congress, will report on the Congress.

I ask you now, are you the Mary Russak alluded to in this article as the person who was to report on the Second World Peace Congress at Warsaw?

(The witness conferred with her counsel.)

Mrs. RUSSAK. I decline to answer for the reasons given before.

Mr. ARENS. Where were you employed at the time you made the trip to Europe?

Mrs. RUSSAK. Which trip?

Mr. ARENS. What was your employment?

Mrs. RUSSAK. Which trip?

Mr. ARENS. This trip we are talking about in 1950.

Mrs. RUSSAK. When in 1950?

Mr. ARENS. In November of 1950, when you made this trip, where were you employed, what was your livelihood?

(The witness conferred with her counsel.)

Mrs. RUSSAK. I decline to answer for the reasons given before.

Mr. ARENS. At that period of time, were you not engaged with the National Refugee Service?

(The witness conferred with her counsel.)

Mrs. RUSSAK. That was the New York Association for New Americans.

Mr. ARENS. Did the New York Association for New Americans finance your trip to Europe in 1950?

(The witness conferred with her counsel.)

Mrs. RUSSAK. No; they didn't.

Mr. ARENS. Who financed your trip?

Mr. FORER. You are talking now about the one in November of 1950?

Mr. ARENS. In 1950.

(The witness conferred with her counsel.)

Mrs. RUSSAK. I financed it myself.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the Daily Worker article of January 25, 1951, which has been alluded to in this record, be marked "Russak Exhibit No. 2" and incorporated by reference in this record.

Mr. FRAZIER. Let it be so incorporated.

(The document was incorporated as part of the record by reference.)

Mr. ARENS. Now, what did you do in Czechoslovakia on this trip in November of 1950?

Mrs. RUSSAK. I decline to answer for the reasons given before.

Mr. ARENS. During the course of this trip in November of 1950, were you under the discipline and directives of the Communist conspiracy.

(The witness conferred with her counsel.)

Mrs. RUSSAK. I don't know what you are referring to.

Mr. ARENS. Were you a member of the Communist Party in 1950 when you were on this peace trip?

Mrs. RUSSAK. I decline to answer for the reasons given before.

Mr. ARENS. I lay before you, Mrs. Russak, a photostatic copy of an application for renewal of passport dated August 7, 1952, bearing the signature of Mary Siegel Russak, and ask you if you can identify that as a true and correct reproduction of the application by yourself in 1952 for the renewal of your passport.

(The witness conferred with her counsel.)

Mrs. RUSSAK. Yes.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this document having been identified be marked "Russak Exhibit No. 3" and incorporated by reference in this record.

Mr. FRAZIER. It may be so incorporated.

(The document was incorporated as part of the record by reference.)

Mr. ARENS. What was your purpose in reapplying for renewal of your passport in 1952?

(The witness conferred with her counsel.)

Mr. FORER. May we see the passport a second?

Mr. ARENS. Yes.

(The witness conferred with her counsel.)

Mrs. RUSSAK. I wasn't sure exactly when I was going to come back at the time and I wanted to be sure that I would have a valid passport while I was still abroad. I returned on August 12.

Mr. ARENS. To the United States?

Mrs. RUSSAK. To the United States.

Mr. ARENS. Where did you file this passport renewal application?

Mrs. RUSSAK. In Brussels.

Mr. ARENS. And was the renewal granted?

Mrs. RUSSAK. Yes.

Mr. ARENS. Thereafter, did you receive notification by the Department of State that your passport was cancelled and were you requested by the Department of State to surrender your passport?

Mrs. RUSSAK. Yes.

Mr. ARENS. I lay now before you a photostatic copy of a letter dated January 21, 1953, addressed to Mrs. Mary Siegel Russak from R. B. Shipley, Director, Passport Office, Department of State, and ask you if that is a true and correct reproduction of a letter which you received approximately that date from Mrs. Shipley?

(The witness conferred with her counsel.)

Mrs. RUSSAK. I think it was. Since I don't have any copy, I can't compare it.

Mr. ARENS. This photostatic copy of this letter contains language requiring you to surrender your passport, does it not?

Mrs. RUSSAK. May I see it again?

(The witness conferred with her counsel.)

Mr. FORER. The letter speaks for itself.

Mr. ARENS. Were you requested to surrender your passport by the Department of State?

Mrs. RUSSAK. I had no formal notification.

Mr. ARENS. Were you requested by the Department of State to surrender your passport?

Mrs. RUSSAK. I don't remember any formal request.

Mr. ARENS. Well, did you receive an informal request?

Mrs. RUSSAK. Someone came to my house and asked me to do it but I don't know who they were.

Mr. ARENS. Who was that person, when did that take place, and where?

Mrs. RUSSAK. At my residence.

Mr. ARENS. Where?

Mrs. RUSSAK. 23 East 124th Street in New York.

Mr. ARENS. When was that?

Mrs. RUSSAK. September of 1952.

Mr. ARENS. Did you surrender your passport pursuant to the request of that person?

Mrs. RUSSAK. No, you have it here.

Mr. ARENS. Did you surrender it?

Mrs. RUSSAK. No.

Mr. ARENS. Did that person identify himself and display to you his credentials as an official of this Government?

Mrs. RUSSAK. I don't remember.

Mr. ARENS. Do you recall who that person said he was when he appeared at your home?

Mrs. RUSSAK. No, I was in a hurry to leave my house at that time and I don't remember.

Mr. ARENS. You subsequently received this letter which we have been speaking about here, dated January 21, 1953, stating, in effect, the Department had been informed by a special agent of New York City that you had declined to surrender your passport and that it had been alleged that you were a member of the Community Party.

Were you at that time a member of the Communist Party?

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. Did you go to Montevideo in 1952?

Mrs. RUSSAK. I said I went to Montevideo.

Mr. ARENS. What was the purpose of your trip to Montevideo?

Mrs. RUSSAK. I decline to answer for the reasons given before.

Mr. ARENS. I now lay before you a photostatic copy of an article in the Communist Daily Worker of Sunday, April 13, 1952, bearing the following headline: "Montevideo Peace Parley Dealt War Camp Big Blow. Delegates To Give Details at Report-Back Meeting Next Thursday," by John Pittman. The body of the article reads in part as follows:

The biggest news about the Inter-Continental Peace Conference, said Mrs. Mary Russak, a small, earnest woman who has earned the title of "Veteran Fighter for Peace," is that the conference was held, and held as scheduled, on March 12 to 16.

That is big news, Mrs. Russak explained, because the metropolitan commercial press of our country has suppressed the fact that nearly 300 delegates from 10 countries of the Western Hemisphere met under illegal conditions in Montevideo, Uruguay, on the scheduled date and carried through the business of the peace conference.

I now lay that article before you and ask you whether you are the Mary Russak alluded to in the article?

(The witness conferred with her counsel.)

Mrs. RUSSAK. I decline to answer for the reasons given before.

Mr. KEARNEY. Mr. Counsel, do I understand that the Daily Worker is bragging that this organization met under illegal conditions?

Mr. ARENS. With just this qualification, that the Daily Worker is quoting Mrs. Russak as saying that the conference met under illegal conditions.

Now, Mrs. Russak, I ask you: Did you attend the Montevideo conference?

Mrs. RUSSAK. I decline to answer for the reasons given before.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you did attend the Montevideo conference and that you did participate in the conference illegally?

(The witness conferred with her counsel.)

Mr. FORER. Participate illegally?

Mr. ARENS. Yes, and if counsel or the witness has any difficulty in explaining it, let the witness go ahead and tell us about it.

Mr. FORER. I don't know what you mean.

Mr. ARENS. Let us see if she knows what we mean.

Mrs. RUSSAK. I don't know.

Mr. ARENS. Did you make this statement?

We had better get this clear.

This is big news, Mrs. Russak explained, because the metropolitan commercial press of our country has suppressed the fact that nearly 300 delegates from 10 countries of the Western Hemisphere met under illegal conditions in Montevideo, Uruguay, on the scheduled date, and carried through the business of the peace conference.

Now, in view of the uncertainty of your counsel here today, do you want to explain to the committee what is meant by the illegal conditions under which this conference met? You might be able to enlighten your attorney.

(The witness conferred with her counsel.)

Mrs. RUSSAK. No; I don't want to explain.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this document just identified, the article from the Daily Worker of April 13, 1952, be marked "Russak Exhibit No. 4" and incorporated by reference in this record.

Mr. FRAZIER. Let it be so incorporated.

(The document was incorporated as part of the record by reference.)

Mr. ARENS. Now, Mrs. Russak—

Mr. KEARNEY. What did you say the name was?

Mrs. RUSSAK. Russak.

Mr. ARENS. Mrs. Russak. I invite your attention to the passport, which you say is yours and which you have transmitted to the committee. On page 14 appears the stamp of Uruguay. Would you kindly tell the committee how that stamp, "Uruguay" happened to get in the passport?

Mrs. RUSSAK. I mentioned before that I was in Uruguay.

Mr. ARENS. When were you in Uruguay?

Mrs. RUSSAK. The date is here in the passport.

Mr. ARENS. Well, see if you can recall and tell us the date you were in Uruguay.

Mrs. RUSSAK. Approximately March 1952.

Mr. ARENS. Were you in Argentina at that time?

Mrs. RUSSAK. On that trip?

Mr. ARENS. Yes.

Mrs. RUSSAK. Yes.

Mr. ARENS. Now tell us what you did all the time you were in Uruguay? Where did you go and what did you do?

Mrs. RUSSAK. I decline to answer for the reasons given before.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you were there as head of the American delegates to the Inter-Continental Peace Conference held in Uruguay in March of 1952?

Mrs. RUSSAK. I decline to answer for the reasons given before.

Mr. WILLIS. As I understand, you admitted that you did go to Uruguay?

Mrs. RUSSAK. It's in my passport.

Mr. WILLIS. Did you go by yourself or as a part of a delegation of which you were a part?

Mrs. RUSSAK. I decline to answer for the reasons given before.

Mr. ARENS. After your sojourn in Uruguay which you have just confirmed for us, where did you go?

Mrs. RUSSAK. My passport says I was in Argentina on that same trip.

Mr. ARENS. Was the passport in error or did you go to Argentina?

Mrs. RUSSAK. The passport is correct.

Mr. ARENS. What did you do in Argentina.

Mrs. RUSSAK. I decline to answer for the reasons given before.

Mr. ARENS. Then where did you go from Argentina, please?

Mrs. RUSSAK. My passport indicates I returned to the United States.

Mr. WILLIS. Is that the passport she was requested to surrender?

Mr. ARENS. Yes, sir; that is the passport I now have in my hand.

Mr. FORER. After she got back, after the trip.

Mr. WILLIS. The alleged request, which is not admitted by her, was made after she came back?

Mr. FORER. After she finished her traveling.

Mr. ARENS. When did you arrive back in the United States?

Mrs. RUSSAK. Some time in April; I believe it's stamped in the book, if I can see it. It's not very legible here but I think it's some time in March 1952.

Mr. WILLIS. What was the nature of your employment immediately before you took that trip to Uruguay?

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. Then you arrived back in the United States in March of 1952, is that correct?

Mrs. RUSSAK. That is what it says.

Mr. ARENS. Well, do you have any independent recollection of it?

Mrs. RUSSAK. I think that that is accurate.

Mr. ARENS. Where did you next travel and when?

Mrs. RUSSAK. I traveled in July 1952 to London, Paris, Germany, and Rumania.

Mr. ARENS. What did you do when you got to London?

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. What did you do when you got to Paris?

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. KEARNEY. Did you pay your own expenses on these trips?

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. What did you do in the next country in which you found yourself?

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. WILLIS. What declaration did she make in the passport as to the nature of these trips, Mr. Counsel?

Mr. ARENS. I beg your pardon?

Mr. WILLIS. What recitation is contained in the passport as to the nature of her trip?

Mr. ARENS. It does not say.

Mr. WILLIS. In the application?

Mr. ARENS. The original application, which came some period prior to the trip, in 1950—

Mr. WILLIS. Business or pleasure?

Mr. ARENS. She was interested in social welfare programs; that was the purpose of the trip, social and educational.

Do you know a person by the name of William Kerner?

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. In August 1952, did you write a letter to William Kerner reading as follows:

DEAR BILL: I am writing to you at this time on this extremely important matter of the United States participation in the Asia-Pacific Conference to be held the last week of September. I am certain I do not need to elaborate for you on the importance for world peace of this conference and our participation in it. It is certainly regrettable that we in New York City are only now taking practical steps to organize a delegation from the United States.

I am writing to you, also Holland Roberts, Peter Hyun, Maud Russell (now in Los Angeles), and Hugh Bryson, to acquaint you with the steps we are taking, to learn if you or others on the west coast have considered or taken any steps towards securing delegates, and what can be done in this area in these very few remaining weeks.

Dr. John Kingsbury, who, as you know, attended the preparatory meeting for the conference in Peking, has invited a number of prominent Americans to join

in a sponsoring committee for United States participation in the conference. The formation of this committee should be completed by the end of this week. The committee will issue a call, which we shall circularize as widely as possible. Dr. Kingsbury has also written a personal appeal to a number of individuals, suggesting participation in the conference itself. To date, we already have the possibility of two prominent individuals in the business world.

Did you write that letter under date of August 24, 1952, to William Kerner?

Mrs. RUSSAK. May I see that letter?

Mr. ARENS. Yes, madam. I have only read excerpts from that letter. You may only see this portion of it.

Mr. FORER. From here on?

Mr. ARENS. Yes.

(The witness conferred with her counsel.)

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. Were you part and parcel of the group that set up the preparations for the Peiping conference which was held in October of 1952 in Peiping, China?

Mrs. RUSSAK. What do you mean by the group that set up the preparations?

Mr. ARENS. Did you participate in setting up the conference, the preparatory committee for the conference at Peiping, China?

Mrs. RUSSAK. You have to be more specific than that.

Mr. ARENS. Well, tell us what you did towards setting up the conference at Peiping, China.

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you did participate in the formulation of a committee to set up the conference at Peiping, Red China, in October 1952?

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. I would like to read you some more of this letter to William Kerner and ask you whether or not you wrote it.

Have you approached anyone to participate? Will take immediate steps to explore every possibility; the delegates as you are aware, I am sure, should include various sections of the population: church, labor, the Negro people, women, youth, professional, business, clerical, nationality groups. What moneys can be raised on the west coast? I should also like to pass on the following information:

We have been advised that travel should be via Paris. Arrangements, including costs, will be cared for from that point on. At least 10 days should be allowed for the total trip. The approximate date for the opening of the conference is September 25.

Did you write that letter to William Kerner?

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. What did you mean, "travel should be via Paris"?

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. Was that so that they could use United States passports good for Europe in order to get to Peiping, China, and fool the State Department?

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. I would like to read you a little more of this letter and ask you if you wrote it:

All other aspects of travel we are undertaking actively with full knowledge of what is involved. I trust you are similarly informed. We do not propose to make any challenges in the initial stages of our preparations, and the matter of public reporting later can be decided upon an individual basis. The implications should, of course, be discussed fully with all individuals approached.

I put it to you as a fact and ask you to affirm or deny the fact that these two paragraphs which I have just read were in a letter written by you to William Kerner under date of August 24, 1952.

(The witness conferred with her counsel.)

Mr. ARENS. You may see the excerpts I have just read.

(The witness conferred with her counsel.)

Mr. FORER. This isn't the actual letter. This seems to be——

Mr. ARENS. I am asking her whether or not she wrote that language.

Mr. FORER. I just want the record to be clear that you don't have a letter there.

Mr. ARENS. I have read her the language and asked her if she wrote it.

Mr. FORER. All right.

Mr. ARENS. If she did not write it, she can surely say "No."

Mr. FORER. I suppose she could say lots of things.

Mrs. RUSSAK. I decline to answer for the reasons given before.

Mr. ARENS. In other words, do you honestly apprehend that if you told this committee truthfully whether or not you wrote the language which I have just read to you in a letter to William Kerner, you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with her counsel.)

Mrs. RUSSAK. That is possible.

Mr. ARENS. Do you have knowledge respecting the use of passports by United States citizens to go to Peiping, China to the Red Peace Conference in the year 1952, passports good only for European travel, Western European travel?

Mrs. RUSSAK. I decline——

Mr. FORER. I don't think that was a question.

Mr. ARENS. I ask you, to clarify the question, do you have knowledge and information at this moment respecting the use of United States passports by people who went to Peiping, China to the peace conference in 1952 via European countries?

(The witness conferred with her counsel.)

Mrs. RUSSAK. I decline to answer for the reasons given before.

Mr. KEARNEY. In other words, Mr. Counsel, do I understand from your question that you mean those individuals who circumvented the regulations of the State Department?

Mr. ARENS. Yes.

The record is already clear. General Kearney, that the State Department at this time had prohibited issuance of passports to American citizens to travel to the Peiping Peace Conference.

Mr. KEARNEY. As was testified here the other day, regardless of State Department regulations, these individuals do what they see fit to do?

Mr. ARENS. That is correct.

The point being developed here is that for the Peiping Peace Conference, American citizens used passports good for European travel and went to Peiping, China via Paris rather than the more direct route out across the Pacific.

Now I invite your attention again specifically to this language: All other aspects of travel we are undertaking actively with full knowledge of what is involved.

What did you mean by that?

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. Mrs. Russak, I shall now read you the names of people who have been identified to this committee as participants in the preparatory committee sponsoring the Peiping Peace Conference and ask you if you can tell us whether or not you know any of these individuals.

Hugh Bryson, Jr.?

(The witness conferred with her counsel.)

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. John Adams Kingsbury?

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. Willard E. Uphaus?

Mrs. RUSSAK. I decline to answer for the same reasons.

Mr. ARENS. Rockwell Kent?

Mrs. RUSSAK. I decline to answer for the same reasons.

Mr. ARENS. Paul Robeson?

Mrs. RUSSAK. I decline to answer for the same reasons.

Mr. ARENS. Ida Pruitt?

Mrs. RUSSAK. I decline to answer for the same reasons.

Mr. ARENS. Albert Kahn?

Mrs. RUSSAK. I decline to answer for the same reasons.

Mr. ARENS. Rev. Kenneth Ripley Forbes?

Mrs. RUSSAK. I decline to answer for the reasons previously given.

Mr. ARENS. Holland D. Roberts?

Mrs. RUSSAK. I decline to answer for the same reasons.

Mr. ARENS. W. E. B. DuBois?

Mrs. RUSSAK. I decline to answer for the same reasons.

Mr. ARENS. Howard Fast?

Mrs. RUSSAK. I decline to answer for the same reasons.

Mr. ARENS. Maud Russell?

Mrs. RUSSAK. I decline to answer for the same reasons.

Mr. ARENS. Thomas Richardson?

Mrs. RUSSAK. I decline to answer for the same reasons.

Mr. ARENS. Peter Hyun?

Mrs. RUSSAK. I decline to answer for the same reasons.

Mr. KEARNEY. I would like to make the observation, Counsel, at least the witness is consistent in her answers.

Mr. ARENS. Yes, sir.

Now, Mrs. Russak, did you participate in setting up a peace conference to be held in Vienna, Austria, in 1952?

Mrs. RUSSAK. I decline to answer for the same reasons.

Mr. ARENS. Do you have knowledge of a peace conference held in Vienna, Austria, in 1952?

(The witness conferred with her counsel.)

Mrs. RUSSAK. I decline to answer for the same reasons.

Mr. ARENS. A couple of days ago a man testified under oath before this committee that he had been a member of the Communist conspiracy. He identified for this committee, for the information of the American people in exposing this conspiracy, the names of a number of people whom he said to a certainty he knew as members of the Communist Party. He identified among those people you, Mary Russak. Was he lying or was he telling the truth?

Mr. FORER. Who is this individual?

Mr. ARENS. William Wallace.

Mr. KEARNEY. You sat here all day; did you not?

Mr. FORER. No; I was not here. The day Wallace testified I was not here.

Mr. ARENS. William Wallace identified you.

Mr. KEARNEY. I get confused because you are here a good deal of the time.

Mr. ARENS. It might help Counsel, if he has difficulty, I think Wallace is the man that said——

Mr. FORER. Said untruthfully.

Mr. FRAZIER. Wait a minute, Counsel; you know the rules.

Mr. FORER. You don't have to help me.

Mr. WILLIS. What did Wallace say?

Mr. ARENS. In other words, to help the counsel identify the witness, the witness said that when he testified before the Senate Internal Security Subcommittee back a few years ago, he was represented by counsel, a gentleman by the name of Joseph Forer. He said that they had a prearranged signal system whereby his counsel at the hearing would put his hand on his knee once for one type of answer and twice for another type of answer.

Mr. FORER. That is palpable nonsense.

Mr. ARENS. If counsel wants to testify, I respectfully suggest he be sworn.

Mr. FORER. Mr. Chairman, I want to point out to you, if I wanted to speak to a witness I would speak to the witness.

Mr. FRAZIER. You have a right to speak to the witness.

Mr. ARENS. Does counsel want to be sworn and put under oath?

Mr. FORER. I am not here as a witness.

Mr. ARENS. You are certainly testifying.

Mr. FRAZIER. Just a minute.

Mr. ARENS. Mrs. Russak, please tell this committee, while you are under oath, whether or not William Wallace was telling the truth when he identified you under oath before this committee as a person who, to his certain knowledge, had been a member of the Communist Party.

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. Have you ever been identified with the American Peace Crusade?

Mrs. RUSSAK. I decline to answer for the same reasons.

Mr. ARENS. William Wallace testified under oath that while he was a member of the Communist Party serving his Government, he knew you as one of the leaders of a Communist Party conspiratorial caucus within the American Peace Crusade. Was he lying or was he telling the truth?

Mrs. RUSSAK. I decline to answer for reasons given before.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this will conclude the interrogation by the staff of this witness.

Mr. FRAZIER. Do you have any questions?

Do you want the witness released?

Mr. ARENS. Yes.

Mr. FRAZIER. We will take a 2-minute recess.

(Brief recess.)

Mr. FRAZIER. Call your next witness.

Mr. ARENS. Joseph Scislowicz, please take the stand and be sworn.

Mr. FRAZIER. Will you raise your right hand?

Do you solemnly swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SCISLOWICZ. I do.

TESTIMONY OF JOSEPH SCISLOWICZ

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. SCISLOWICZ. My name is Joseph Scislowicz, I am from Minneapolis, Minn., and I am a student in journalism. I also work and am employed as a technical writer.

Mr. KEARNEY. Would you keep your voice up so we can hear you, please?

Mr. SCISLOWICZ. Yes, sir.

Mr. ARENS. What school do you attend?

Mr. SCISLOWICZ. The University of Minnesota.

Mr. ARENS. And for this record, you might give us your age, please?

Mr. SCISLOWICZ. Twenty-six.

Mr. ARENS. Mr. Scislowicz, during the course of your college career at the University of Minnesota, have you occupied the post of editor of the University of Minnesota publication?

Mr. SCISLOWICZ. I was the managing editor of Minnesota Daily.

Mr. ARENS. And in May of 1955, about a year ago, was there brought to your attention an announcement of a Fifth World Youth Festival to be held at Warsaw, Poland, in July of last year?

Mr. SCISLOWICZ. Yes, sir; that is correct.

Mr. ARENS. Tell us how that was brought to your attention and what you did about it?

Mr. SCISLOWICZ. Well, I had run across a document, brochure, describing a similar festival in Peiping, I believe it was the previous year, and I was discussing with some friends one day and we were wondering what these things were like because we had never seen one or had not read any reports of them in any of our college newspapers or the Twin Cities press, or, as far as that goes, the New York Times never carried any running accounts.

So I looked into our libraries and we couldn't find anything on them, and I don't recall off hand just where I got this booklet. I don't know whether it was mailed to the office, we got it through the mail, or someone just dropped it in our box, or where it came from.

Then it was about, oh, 3 or 4 months later, I had almost forgotten it, and we received an advance notice of a festival to take place in Warsaw some, oh, I believe that was 3 or 4 months prior to the date set for the festival, and I checked into it a little further and decided, after talking it over with some friends, that it might be worth while seeing.

Mr. ARENS. Now I think we ought to hesitate here.

Would you mind if I called you Joe instead of the other name?

Mr. SCISLOWICZ. That is all right.

Mr. ARENS. I think we ought to hesitate here, Joe, and make the record clear on this one point.

Are you now or have you ever been a member of the Communist Party?

Mr. SCISLOWICZ. No, sir.

Mr. ARENS. Are you now or have you ever been in sympathy with communism?

Mr. SCISLOWICZ. No, sir.

Mr. ARENS. Then the proceedings which you will describe from here on in are those of an anti-Communist; is that correct?

Mr. SCISLOWICZ. Well, I certainly think I am anti-Communist.

Mr. ARENS. I just want the record to be clear on that point because of what is going to develop in your testimony in a little while.

Now tell us what you did after you received these notices respecting the youth festival to be held in Warsaw, Poland, in the summer of 1955.

Mr. SCISLOWICZ. The other members of the staff, the editorial staff of the paper, were kind enough to support me in this. We talked it over and discussed it and they were generally in favor of it.

So I wrote to the State Department and I also wrote to the Polish Embassy here in Washington to get more information about the festival and the methods of travel.

Mr. ARENS. Tell us the essence of the correspondence, if you will, please, without any considerable detail, just the highlights.

Mr. SCISLOWICZ. Well, the State Department did not think highly of the idea.

Mr. ARENS. The idea of your going to the festival?

Mr. SCISLOWICZ. Yes, and I wrote to my representatives in Congress and outlined my plans, what I expected to see and do, and asked for their support, which they kindly granted me.

Mr. ARENS. You made it clear, of course, to your representatives in Congress that your objective in wanting to go to the Warsaw Youth Festival was purely from the standpoint of your own curiosity and the possibility of writing up in your paper information respecting this Communist-controlled enterprise; is that correct?

Mr. SCISLOWICZ. That is correct. My application states that I went there to obtain magazine and newspaper articles.

Mr. ARENS. Tell us just in a word what transpired before you got there.

Mr. SCISLOWICZ. Well, I did receive information from the Polish Government, and they outlined methods of travel and said that I should, as soon as I had received permission from the State Department, they would grant me a visa for travel. This was subsequently done after many long weeks. The State Department finally consented and the Polish Government issued me a visa.

Mr. ARENS. I lay before you the passport which I understand was issued to you and ask you if you will identify that passport for this record.

Mr. SCISLOWICZ. That is correct; that is my passport.

Mr. ARENS. This passport which you have just identified has in it a prohibition of travel of American citizens to Albania, Bulgaria, China, Czechoslovakia, Hungary, Poland, Rumania, or the Soviet Union; is that not correct?

Mr. SCISLOWICZ. That is correct.

Mr. ARENS. Then, on the following page, an exception is made in your particular case for short duration to go to Poland, not exceeding a stay of 1 month; is that correct?

Mr. SCISLOWICZ. That is correct.

Mr. ARENS. Subsequent to the receipt by you of this passport, did you commence a trip which ultimately found you in Poland?

Mr. SCISLOWICZ. Before I received the passport?

Mr. ARENS. I say subsequent to the receipt of that passport, you did make a trip?

Mr. SCISLOWICZ. Yes.

Mr. ARENS. Tell us first of all how you financed the trip?

Mr. SCISLOWICZ. I financed it through my own savings and some friends and relatives helped me pay for the trip.

Mr. ARENS. Where did you go en route on the trip?

Mr. SCISLOWICZ. Denmark and Sweden, and I came into Warsaw on the train from Stockholm.

Mr. ARENS. Kindly tell us in your own words what transpired, the highlights of what transpired, when you arrived at Warsaw, Poland?

Mr. SCISLOWICZ. Well, the festival was in progress. There, of course, were hundreds and hundreds of meetings of one kind or another, various exchanges between the delegations and dancing in the streets. I don't know, it was a sort of elaborate carnival.

Mr. ARENS. About how many people or youth participated in this festival at Warsaw, Poland?

Mr. SCISLOWICZ. The festival report set the figures anywhere between 130 thousand and 140 thousand.

Mr. ARENS. How many Americans participated in the festival?

Mr. SCISLOWICZ. To the best of my knowledge, there were 32, about 32.

Mr. ARENS. While you were in Warsaw, Poland, were you housed with the American delegation?

Mr. SCISLOWICZ. Yes, sir; I was for some time.

Mr. ARENS. At the place where you were housed with the American delegation, did you have access to the guide roster containing the names of the American delegation?

Mr. SCISLOWICZ. No, sir; I did not. I found a slip when I was leaving after everyone had gone, I had access to it and I slipped it into my notebook, and it had the first names of several people.

Mr. ARENS. Did the Polish Embassy, prior to the time that you went to Poland, impose a condition that you would have to have a valid passport before they would issue you a visa to Poland?

Mr. SCISLOWICZ. Yes, sir; I think they were pretty explicit on that.

Mr. ARENS. Did you have conversations with the members of the American delegation to the youth festival respecting the travel documents which they had which enabled them to get into the festival?

Mr. SCISLOWICZ. I have never seen passports of one of the delegates to the festival, but I understood that the members of the delegation had traveled without validation by the State Department.

Mr. ARENS. Can you tell us the various routes through which the other delegates came in order to arrive at the festival?

Mr. SCISLOWICZ. Well, I have no firsthand knowledge.

Mr. ARENS. What did they tell you in their conversations?

Mr. SCISLOWICZ. Some of them said they had come through East Berlin and Austria, and I believe there was a third place but I don't remember.

Mr. ARENS. Did the delegates in the American delegation use their full names or did they have nicknames; how did they address one another?

Mr. SCISLOWICZ. Well, to the best of my knowledge, they exclusively used full names, I think. No, I mean not full names, just their first name when addressing one another.

Mr. ARENS. I should like to invite your attention to a number of photostatic copies of passport applications which the committee has procured from the Department of State. These passport applications bear the photographs of the applicants.

I would like to ask you as I lay these applications before you, if you would kindly glance at the photographs and see if you can identify the people whose photographs appear in these passport applications as people who, to your knowledge, were in attendance at the Fifth World Youth Festival in 1955.

The first document I lay before you now is a passport application of Leonard Billet and his wife Sheila. Can you identify their photographs as persons you knew at that festival?

Mr. SCISLOWICZ. I would say that I would have to make a positive identification from a photograph. I would say that looks very similar to two people who were at the festival.

Mr. ARENS. Do you have a recollection of the names of the two people whom you say these photographs resemble?

Mr. SCISLOWICZ. It looks to me as though that would be Lennie and Sheila. That is the only names, if those are the two.

Mr. ARENS. Lennie and Sheila. Did you get a last name?

Mr. SCISLOWICZ. No.

Well, there is a last name there but I never heard the names.

Mr. ARENS. I lay before you now a photograph and ask you if you can identify that photograph?

Mr. SCISLOWICZ. Yes, sir.

Mr. ARENS. What is that photograph?

Mr. SCISLOWICZ. That is a photograph outside the students' house in Warsaw, 7 Otchki Street.

Mr. ARENS. In Warsaw, Poland?

Mr. SCISLOWICZ. Yes, sir.

Mr. ARENS. Did you take that photograph?

Mr. SCISLOWICZ. Yes, sir.

Mr. ARENS. Do the people whom you have identified as Lennie and Sheila appear in here?

Mr. SCISLOWICZ. Yes, sir.

Mr. ARENS. They are about in the center of the photograph, separated by one person; is that correct?

Mr. SCISLOWICZ. That is correct.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the photograph and the passport application to which we have just been alluding be marked "Scislowicz Exhibit No. 1" and incorporated by reference in this record.

Mr. FRAZIER. It will be so incorporated.

(The document was incorporated as part of the record by reference.)

Mr. ARENS. Now I lay before you still another passport application and ask you if you will look at the photograph in that application and tell us whether or not you recognize the person whose photograph appears there as a person you knew at the youth festival in Warsaw, Poland, in 1955?

Mr. SCISLOWICZ. I could not say.

Mr. ARENS. I lay before you another passport application and ask you if you can identify that photograph as that of a person you knew at the Warsaw Youth Festival?

Mr. SCISLOWICZ. Yes, sir; I recognize him.

Mr. ARENS. Who is he?

Mr. SCISLOWICZ. The name here is Matthew Borenstein.

Mr. ARENS. What was the name you knew him by or became acquainted with at Warsaw, Poland, last year?

Mr. SCISLOWICZ. That is the name here. I knew him only as Matty.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this application which has just been identified by the witness be marked "Scislowicz Exhibit No. 2" and incorporated by reference in this record.

Mr. FRAZIER. Let it be so incorporated.

(The document was incorporated as part of the record by reference.)

Mr. ARENS. I lay before you still another passport application and ask you to see if you can identify the person whose photograph appears there as a person you knew at the festival in Warsaw, Poland, in 1955?

Mr. SCISLOWICZ. Yes, sir; that is one that I do know because he told me some things and we talked together.

Mr. ARENS. What was his name?

Mr. SCISLOWICZ. Williamson.

Mr. ARENS. Do you remember his first name?

Mr. SCISLOWICZ. I believe it's Robert.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this passport application be marked "Scislowicz Exhibit No. 3" and incorporated by reference in the record. I invite the attention of the committee to the purpose of the trip as indicated by the individual, which was to accompany his father, who was being deported to England.

Mr. KEARNEY. What was that name?

Mr. ARENS. Robert Williamson.

Mr. KEARNEY. Is he one of the 11 Communists convicted in New York?

Mr. SCISLOWICZ. I believe his father was.

Mr. ARENS. That was his father. This is the son.

Mr. FRAZIER. It will be so incorporated.

(The document was incorporated as part of the record by reference.)

Mr. ARENS. I lay before you this passport, Mr. Scislowicz, and ask you if you will kindly see by looking at that photograph whether or not you can identify that person as one who was at the Warsaw Youth Festival in 1955?

Mr. SCISLOWICZ. I would say he looks familiar.

Mr. ARENS. Do you recall his name?

Mr. SCISLOWICZ. Yes, I recognize the—I only knew him as Jimmy, if that is the person.

Mr. ARENS. You are not too certain of your identification, is that correct?

Mr. SCISLOWICZ. I wouldn't swear to it from the photograph.

Mr. ARENS. Under those circumstances, Mr. Chairman, I do not believe we ought to submit this one for the record.

I lay before you still another passport application and ask you if you can identify the photograph of that person as one who attended the Warsaw Youth Festival in 1955?

Mr. SCISLOWICZ. Oh, yes.

Mr. ARENS. Who was he?

Mr. SCISLOWICZ. That is George Moore. He was also in Moscow, interviewed by the New York Times correspondent there.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this passport application, which has now been identified, be marked "Scislowicz Exhibit No. 4" and incorporated by reference in this record.

Mr. FRAZIER. It will be so incorporated.

(The document was incorporated as part of the record by reference.)

Mr. ARENS. I invite the attention of the committee to the following: The countries to be visited are England, France, and Italy. A pleasure trip is indicated—would like to travel abroad and see these countries.

Mr. WILLIS. So far as you know, the passports issued pursuant to these applications contain the general prohibition against visiting Poland?

Mr. ARENS. Yes, sir; at that time.

Mr. WILLIS. In other words, they got these passports and traveled with this young man?

Mr. SCISLOWICZ. Not with me, sir.

Mr. WILLIS. They met in Warsaw, but this young man's passport contained permission to go to Warsaw and the others contained a prohibition against going to Warsaw?

Mr. ARENS. The Congressman has it right.

Mr. WILLIS. After going to Europe, they obtained a passport from somewhere or someone to violate the regulations or prohibition in their own passport?

Mr. ARENS. I think the record should also reflect, Mr. Chairman, that this passport application and photograph submitted to the witness just prior to the application of George Moore, is that of Jimmy Dombrowski, who is the son of Thomas X. Dombrowski of Detroit, Mich., who appeared as a witness before this committee, and although he was identified as a Communist, he invoked the fifth amendment on his appearance.

Now I lay before you, Joseph, still another passport application and ask you if you can identify the photograph appearing in this passport application as a person you knew at the Warsaw Youth Festival in 1955?

Mr. SCISLOWICZ. Yes, sir; I knew him as Mike.

Mr. ARENS. This passport application is that of Michael Goldstein.

Mr. Chairman, I respectfully suggest that this application be marked "Scislowicz Exhibit No. 5" and incorporated by reference in the record. I specifically invite the attention of the committee to the stamp appearing on the passport application imposed by the Department of State, which bans travel under this application to Poland, among other countries.

Mr. FRAZIER. It will be so incorporated.

(The document was incorporated as part of the record by reference.)

Mr. WILLIS. What was the nature of the youth festival conference and who inspired it? Do we have evidence?

Mr. ARENS. Yes, the witness is going to come to that in a little while, Congressman.

Mr. WILLIS. All right.

Mr. ARENS. I lay before you still another passport application and ask you if you can identify the photograph appearing in that application as a person you knew at the Warsaw Youth Festival?

Mr. SCISLOWICZ. That, I believe, was Mike's brother.

Mr. ARENS. He is the brother of the person whom you have just identified?

Mr. SCISLOWICZ. I would say so from the photograph. I won't swear to it.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this passport application be marked "Scislowicz Exhibit No. 6" for identification purposes only.

Mr. FRAZIER. It will be so marked.

Mr. ARENS. Now I lay before you still another passport application which we have procured from the Department of State, bearing a photograph of a woman or a girl. This passport application is for a trip to France and Israel, the purpose of the trip is identified as pleasure.

I ask you if you can identify the photograph appearing in that passport application as that of a person who was known by you at the Warsaw Youth Festival in 1955?

Mr. SCISLOWICZ. That looks like a person I knew as Dotty.

Mr. ARENS. At this same Fifth World Youth Festival in Warsaw?

Mr. SCISLOWICZ. That is right.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this passport application be marked "Scislowicz Exhibit No. 7" for identification purposes only.

Mr. FRAZIER. It will be so marked.

Mr. ARENS. I lay before you still another passport application, Joseph, and ask you to see if you can identify the photographs appearing in that passport application?

Mr. SCISLOWICZ. The only name I remember, if those are the two, would be Joe and Edna.

Mr. ARENS. Do they look like the Joe and Edna whom you knew at the Warsaw Youth Festival?

Mr. SCISLOWICZ. Yes.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this passport application be marked "Scislowicz Exhibit No. 8" for identification purposes only.

Mr. FRAZIER. It will be so marked.

Mr. ARENS. I lay before you still another passport application and ask if you can identify the person whose photograph appears in that passport application?

Mr. SCISLOWICZ. That face looks familiar but I could not identify it with a name.

Mr. ARENS. Under those circumstances, I do not submit that application for identification.

I respectfully suggest that you glance at this next passport application and see if you can identify that person.

Mr. SCISLOWICZ. I cannot positively identify that person.

Mr. ARENS. We will not submit that application for the record either then.

Now I lay before you still another passport application and ask you if you can identify that photograph?

Mr. SCISLOWICZ. I could not identify that.

Mr. ARENS. I lay before you still another one and ask you if you can identify this one?

Mr. SCISLOWICZ. Yes, I think I could identify that one.

Mr. ARENS. Who is that?

Mr. SCISLOWICZ. Joan Ruth Gainer.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this passport application be marked "Scislowicz Exhibit No. 9" and incorporated by reference in this record.

Mr. FRAZIER. Let it be so incorporated.

(The document was incorporated as part of the record by reference.)

Mr. ARENS. I lay before you still another passport application and ask you if you can identify the photograph that appears in this one?

Mr. SCISLOWICZ. Yes, that appears to be a picture of a girl I knew as Miriam Stein.

Mr. ARENS. Have you seen her in the hearing room since you have arrived today, the person whom you knew at the Warsaw Youth Festival as Miriam Stein?

Mr. SCISLOWICZ. Yes, she is sitting back there. I just talked to her.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this passport application of Miriam Schwartz be marked "Scislowicz Exhibit No. 10" and incorporated by reference in this record. Miriam Schwartz or Miriam Stein at this moment is present in the hearing room.

Mr. FRAZIER. Let it be so incorporated.

(The document was incorporated as part of the record by reference.)

Mr. ARENS. I lay before you still another passport application and ask you if you can identify the photograph as that of a person you knew at the Warsaw Youth Festival?

Mr. SCISLOWICZ. I would say that the face was very familiar. I don't know if I ever met or spoke to this person but I have seen many pictures of her.

Mr. ARENS. Do you have any recollection of seeing that person at the Warsaw Youth Festival?

Mr. SCISLOWICZ. I don't know. She may have been there. I would say that a person that looks very much like this person was there but I can't say I met her there.

Mr. ARENS. We will not press you on it because we want to be as accurate as we can.

I lay before you a photograph, not from a passport application, and ask you if you can identify that photograph?

Mr. SCISLOWICZ. That is a photograph I got from the Central Photographic Agency in Warsaw of a meeting called the Big Five Powers Meeting.

Mr. ARENS. That is, the Big Five of the youth festival that met in Warsaw, is that correct?

Mr. SCISLOWICZ. That is correct.

Mr. ARENS. Can you identify any of the persons in that photograph as persons who, to your certain knowledge, were in attendance at the youth festival in Warsaw?

Mr. SCISLOWICZ. Well, this girl.

Mr. ARENS. You are pointing to the young lady who is in this photograph?

Mr. SCISLOWICZ. In the center.

Mr. ARENS. Which we shall appropriately mark as the young lady third from the left?

Mr. SCISLOWICZ. Yes. She was identified in the press as attending the festival and as a voting representative. I recognize the face but I could not identify her other than that. I don't believe I ever talked to her.

Mr. ARENS. While you were at the Warsaw Youth Festival, was there distributed among the young people there certain pamphlets and literature pertaining to alleged atrocities by the American troops in Korea?

Mr. SCISLOWICZ. Well, there were pamphlets of every sort and description. That would describe one of them.

Mr. ARENS. I lay before you a pamphlet, "Report of the Central Committee of the United Democratic Fatherland Front of Korea on the Atrocities of the American Aggressors Against the Prisoners of War of Korean People's Army," and ask you if that pamphlet was among the pamphlets distributed there at Warsaw, Poland?

Mr. SCISLOWICZ. Yes, this was a pamphlet that I brought back with me.

Mr. ARENS. Was that distributed among the youth there?

Mr. SCISLOWICZ. Yes. There were those pamphlets and dozens of other similar pamphlets. I won't say they were all describing atrocities of germ warfare.

Mr. ARENS. I should like, if the chairman pleases, to read one or two excerpts from this which I suggest, on the basis of my prior perusal, are typical.

Mr. FRAZIER. You may proceed.

Mr. ARENS (reading):

Besides shooting and stabbing with knives, the Americans killed the KPA POW's by driving over them with tanks, throwing them into vats of boiling water, unleashing vicious dogs upon them, drowning, beating, starving and freezing to death, and other such horrible methods.

But the American barbarians were not satisfied by merely killing. In order to intimidate the prisoners of war, they forced them to witness the execution of friends who were hanged. They then made both civilians and POW's watch while they cut these dead bodies to pieces.

I invite the attention of the committee to that one excerpt in this particular pamphlet which has been identified by this witness, because it is typical of those in similar pamphlets. I now respectfully suggest, Mr. Chairman, that it be marked "Scislowicz Exhibit No. 11" and be incorporated by reference in the record.

Mr. FRAZIER. Let it be so incorporated.

(The document was incorporated as part of the record by reference.)

Mr. KEARNEY. Is this the type of propaganda used at a so-called youth festival?

Mr. SCISLOWICZ. I would not say that was very typical, but certainly there was evidence of that sort of thing. I have several others along that same line.

Mr. KEARNEY. Let me ask one more question.

Were such pamphlets as the one from which counsel read offered by the American delegation?

Mr. SCISLOWICZ. The what, sir?

Mr. KEARNEY. Were they offered by individual members of the American delegation?

Mr. SCISLOWICZ. I don't believe they distributed any; no, sir. They were given to people who cared to read them.

Mr. WILLIS. That is why I was looking at the pamphlet and trying to see where it was printed.

Mr. ARENS. Joseph, a few moments ago I laid before you a photograph of a person in a passport application and you were unable at that time to give a positive identification.

I should like to lay before you now a photograph, not on a passport application, and ask you if you can identify a person whose picture appears in that photograph?

Mr. SCISLOWICZ. Well, I suppose I should be able to identify her.

Mr. ARENS. Did you take that picture?

Mr. SCISLOWICZ. I took that picture. Obviously she was there. I took the picture, but I don't know as I ever met her personally.

Mr. ARENS. You do not know her name?

Mr. SCISLOWICZ. No.

Mr. ARENS. Did you have occasion during the course of this youth festival, in which 140,000 young people participated, to ascertain how many of the 140,000 approximately were from the British Isles?

Mr. SCISLOWICZ. I believe the festival report said that there were approximately 1,000.

Mr. ARENS. How many from Red China?

Mr. SCISLOWICZ. I believe the Red Chinese delegation was about eight or nine hundred.

Mr. ARENS. Did you have occasion, during the course of your participation in this festival, to visit the Red Chinese delegation?

Mr. SCISLOWICZ. Yes; I did.

Mr. ARENS. Did you have occasion to listen in to the exchange of addresses, speeches, and comments between the American delegation and the Iron Curtain delegations?

Mr. SCISLOWICZ. Well, yes; at every meeting there were speeches.

Mr. ARENS. Give us the essence of the speeches from the Red Chinese delegation and the essence of the speeches from the young people who were there from the United States.

Mr. SCISLOWICZ. Well, I can't remember now, but I quoted them in an article that I wrote for the Minnesota Daily.

Mr. ARENS. Give us the essence of the speeches. I do not mean the exact quotation. What was the theme of the Red Chinese?

Mr. SCISLOWICZ. The Red Chinese were interested in Formosa and made speeches concerning their rights to Formosa; and the Americans, the best I can remember, made speeches concerning peace, along that general line.

Mr. ARENS. Were the American delegates apologetic for the fact that the United States had participated in the Korean conflict?

Mr. SCISLOWICZ. I couldn't say. I don't know if they did. In the sense, I suppose, that the United States went to war, they were apologetic for that. I didn't pay that much attention to what was being said.

Mr. ARENS. Did some of the American delegates, after the conference at Warsaw, go to other countries behind the Iron Curtain?

Mr. SCISLOWICZ. I believe they did. I know that some of them, at least 6 or 8, reached Moscow. I read about it in the New York Times. I know I stayed on in Warsaw and groups went to visit other countries. Whether they arrived there, I have no idea.

Mr. ARENS. After you returned to the United States, did you receive any letters from some of the young people whom you knew at Warsaw, Poland?

Mr. SCISLOWICZ. Yes; I received a letter from the Gainers.

Mr. ARENS. What was the essence of those letters?

Mr. SCISLOWICZ. I believe they requested copies of my article, and they said that they were showing pictures of the festival, and I remember writing back. I had been interested in a five-reel film of the festival which I wanted to obtain and I had written back asking where to obtain this, and I was told to get it in Prague or to write to Prague.

Mr. ARENS. Did you receive any correspondence from any persons suggesting setting up peace groups in the United States to work in concert with the Warsaw peace element?

Mr. SCISLOWICZ. I don't believe so. Setting up peace groups?

Mr. ARENS. Yes, sir.

Did you have any suggestions that there be set up any international students' groups to work in concert with the young people who were at the Warsaw Youth Festival?

Mr. SCISLOWICZ. I don't remember that.

Mr. ARENS. I lay before you now a letter addressed "Dear Joe," dated November 23, 1955, and signed "Joan," and ask you if you can identify that letter?

Mr. SCISLOWICZ. Yes, I believe this is the answer to a letter I wrote asking about the films.

Mr. ARENS. May I invite the committee's attention to certain language?

As I mentioned in my last letter, I am helping to organize a committee to promote more East-West exchange of delegations, correspondence, exhibits, and so forth, as well as publicizing the festival.

Who is this Joan who wrote this letter to you?

Mr. SCISLOWICZ. That would be Joan Gainer.

Mr. ARENS. And she was one of the participants in the youth festival at Warsaw?

Mr. SCISLOWICZ. Right.

Mr. ARENS. Did you learn from what part of the United States most of these young people came who were participants in the youth festival?

Mr. SCISLOWICZ. Most of them, to my knowledge, were from the New York City area.

Mr. ARENS. Did any of them tell you what organization promoted their attendance at the festival?

Mr. SCISLOWICZ. No, but I assumed that it was the International Union of Students, IUS, and World Federation of Democratic Youth, who were running the festival.

Mr. ARENS. Who were the leaders of the American delegation?

Mr. SCISLOWICZ. I can only say who appeared to be the leaders and that would be Miriam Stein and a fellow by the name of Ken Rubin.

Mr. ARENS. Did you acquire any information respecting a tour of Poland by Mark Tangner?

Mr. SCISLOWICZ. Would you repeat that question? I didn't hear the first part.

Mr. ARENS. Do you have information respecting a tour of Poland by a young man by the name of Mark Tangner?

Mr. SCISLOWICZ. Well, I know there were four people that went on a tour of Poland. I believe he might have been one of them. They left at intervals. I don't know that these people went anywhere. I know they left Warsaw but they were supposedly on tours of these other countries, but I have no information that they actually went.

Mr. ARENS. While you were in Warsaw did you have occasion to visit with some of the citizenry in their homes?

Mr. SCISLOWICZ. Yes, sir.

Mr. ARENS. Do you have any information as to whether or not you were followed by the police?

Mr. SCISLOWICZ. Not when I first arrived. After I had been there, when the festival was over, I was followed.

Mr. ARENS. Tell us about that.

Mr. SCISLOWICZ. Well, I presume it was a secret police, I don't know, the UB. I can't pronounce the full title. Police started following me.

Mr. ARENS. How did you know it was the UB?

Mr. SCISLOWICZ. Well, I took the word of the people in the American Embassy and I also took photographs of them and the license plates on their car checked out with the security police plates.

Mr. ARENS. Do you have any information respecting any of the young people traveling to China through Moscow?

Mr. SCISLOWICZ. All I can say is that I knew that a group was leaving for Moscow and I don't remember how many were in the group now. I think it was possibly 8, 6 or 8, something like that. I do know they stayed in the Moskda Hotel in Moscow and talked to a New York Times correspondent there. Their stories appeared, let's see, they arrived there August 20; their stories appeared on September 4 and September 5 of 1955 in the New York Times.

Mr. ARENS. Were there any international broadcasts, to your knowledge, made by any of the students in the American delegation?

Mr. SCISLOWICZ. I don't know if there were international broadcasts. I know some said that they had talked over Radio Warsaw. I was invited to talk but I didn't feel I had anything to say so I didn't go down. I don't know about international.

Mr. ARENS. There were broadcasts?

Mr. SCISLOWICZ. There were broadcasts.

Mr. ARENS. Do you have any knowledge respecting a visit to Sofia to an International Union of Students council meeting by some of the students whom you met at Warsaw?

Mr. SCISLOWICZ. I believe a couple went down there. I was invited to go and I had already applied for a visa and the people at the Embassy told me not to go so I didn't go.

Mr. ARENS. When you left, or were in the process of leaving Warsaw, Poland, did you have any difficulty on your travel documents?

Mr. SCISLOWICZ. Well, yes. I had a valid passport for 1 month and there were some things I hadn't seen yet and I wanted to get a look at. So I requested an extension from the Embassy and they cabled Washington. I had been told by the press people, and so on, that an extension would be granted if I had once more proper authorization from the State Department. Well, the State Department granted an additional 10 days.

Just before I was to have the extension by the Polish Government, as a matter of fact it was about 24 hours before I was scheduled to leave, they refused the extension. They did grant an extra 24 hours and I was taken down to the police station and given the extra 24 hours to get out of the country.

Mr. ARENS. A few moments ago we laid before you the passport application of a person identified in this application as Doris Koppelman, and you were unable to identify the photograph. I show you now a document headed "Information Bulletin of the Polish Press Agency, PAP, August 1955," in which the name of Doris Koppelman appears, and ask you if you can identify this document?

Mr. SCISLOWICZ. Yes, this appears to be one of several I brought back with me.

Mr. ARENS. For the purpose of the record, would you kindly allude to the reference in this document to Doris Koppelman?

Mr. SCISLOWICZ. It says:

The council—

I don't know which council—

then elected a new executive committee of WFDY, comprising 45 persons.

Mr. ARENS. What is the WFDY?

Mr. SCISLOWICZ. World Federation of Democratic Youth.

Mr. ARENS. Is Miss Koppelman's name identified with that committee?

Mr. SCISLOWICZ. Yes, she is identified as a new vice president.

Mr. ARENS. Were these bulletins issued periodically during the conference?

Mr. SCISLOWICZ. Every day.

Mr. ARENS. In the course of the conversations which you had with the citizenry there in Warsaw, did you have occasion to engage them in conversation respecting conditions in Poland?

Mr. SCISLOWICZ. Oh, yes. Everyone talked about conditions.

Mr. ARENS. Did you develop any information respecting slave labor camps?

Mr. SCISLOWICZ. No, sir.

Mr. ARENS. Did you sense any fear respecting slave labor camps?

Mr. SCISLOWICZ. There was no fear respecting slave labor camps, but they were, of course, wary of the police.

Mr. ARENS. The secret police?

Mr. SCISLOWICZ. Yes. I don't know, perhaps they did have a fear of slave labor camps but no one ever mentioned the fact to me.

Mr. ARENS. Have you since learned of the fact that the Soviets claim they have released tens of thousands of people from slave labor camps within Poland?

Mr. SCISLOWICZ. I heard that.

Mr. ARENS. Is there any other item of information which you would like to bring to the attention of the members of the committee respecting this youth festival at Warsaw, Poland?

Mr. SCISLOWICZ. I don't have anything now, unless you call me back. I might have a statement to make then concerning festivals in general.

Mr. ARENS. We laid before you a little while ago, the passport application of a person, Elanore Pine, and you were unable to identify her photograph.

Did you have information while you were in Warsaw, Poland, that a person who was an actress from the United States was in attendance at the conference?

Mr. SCISLOWICZ. I was told at the press center where I first stayed when I got to Warsaw, before I moved into the quarters for the American delegation, that an American movie star, is the way they put it, named Elanore Pine, was in Warsaw, and of course, I had never heard of a movie star named Elanore Pine, or up to that time, an actress either.

Mr. ARENS. I should like to conclude your testimony by laying before you several photographs and ask you if each of those photographs was taken by you at Warsaw, Poland, during this youth festival in the summer of 1955?

Mr. SCISLOWICZ. They are all mine.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that each and every one of these photographs en masse be marked "Scislowicz Exhibit No. 12" and incorporated by reference in this record.

Mr. FRAZIER. They will be so incorporated.

(The documents were incorporated as part of the record by reference.)

Mr. ARENS. I respectfully suggest that this concludes the staff interrogation of this witness.

Mr. FRAZIER. Any questions?

The witness may be released.

The subcommittee will be in recess now until 2:15 this afternoon.

(Whereupon, at 12 noon, the subcommittee recessed, to reconvene at 2:15 p. m. of the same day.)

AFTERNOON SESSION—FRIDAY, MAY 25, 1956

(The subcommittee reconvened at 2:15 p. m., pursuant to recess.)

Mr. FRAZIER (presiding). The committee will come to order.

Mr. ARENS. Miriam Schwartz, please.

Please remain standing while the chairman administers the oath.

Mr. FRAZIER. Raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Miss SCHWARTZ. I do.

**TESTIMONY OF MIRIAM SCHWARTZ, ACCOMPANIED BY COUNSEL,
ROBERT Z. LEWIS**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Miss SCHWARTZ. Miriam Schwartz, 1977 Prospect Avenue, Bronx, New York, social worker.

Mr. ARENS. For whom do you work?

Miss SCHWARTZ. Before I continue, I was subpoenaed but the subpoena didn't give me the purpose of the hearing. I would appreciate it if you would amplify on that.

Mr. ARENS. We will get to that in a little while. You are appearing today in response to a subpoena which was served on you by the House Committee on Un-American Activities.

Miss SCHWARTZ. That is right.

Mr. ARENS. You are represented by counsel?

Miss SCHWARTZ. That is right.

Mr. ARENS. Will counsel kindly identify himself?

Mr. LEWIS. My name is Robert Lewis, L-e-w-i-s, 615 Columbus Avenue, New York City.

Mr. ARENS. The subpoena under which you are appearing today orders you to bring with you certain documents, including all passports issued to you by the Secretary of State for travel outside of the United States?

Miss SCHWARTZ. That is right.

Mr. ARENS. Do you have those documents?

Miss SCHWARTZ. I don't have the documents with me. I don't have my passport because I misplaced it.

Mr. ARENS. I see.

Miss SCHWARTZ. I wrote a letter to the passport division, asking for a duplicate copy. I sent a registered letter after I was subpoenaed and had looked for my passport and could not locate it.

Mr. ARENS. Kindly tell us by whom you are employed?

Miss SCHWARTZ. I asked you a question, sir, because I would like to answer the questions.

Mr. ARENS. Will you kindly respond to the question?

By whom are you employed?

Miss SCHWARTZ. I asked a question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this witness be directed and ordered to answer the question.

Mr. FRAZIER. You are directed to answer that question. It is a very simple question.

Miss SCHWARTZ. The reason I am asking is because I want to know if my answers are relevant and I feel I can only capably answer the questions when I have clarity on the purpose of the hearing.

Mr. ARENS. Will you kindly answer the question?

By whom are you employed?

Miss SCHWARTZ. I feel it is very difficult for me to answer questions of this kind. I have identified myself.

Mr. ARENS. Do you refuse to answer the question as to by whom you are employed?

Mr. FRAZIER. You are directed to answer the question. If you do not want to answer it, you can decline and take the fifth amendment or do whatever you want.

(The witness conferred with her counsel.)

Miss SCHWARTZ. I am declining to answer at this point because I feel it is an irrelevant question and the purpose of the question may endanger my job, and it is to intimidate.

Mr. KEARNEY. Mr. Chairman, what the witness feels has nothing to do with this question. She can either decline to answer or answer it. I do not think we are interested in any explanation as to how she feels about it.

Mr. FRAZIER. I have directed you to answer the question.

Miss SCHWARTZ. I have given my explanation.

Mr. ARENS. Is this record abundantly clear, counsel, that this witness is not refusing to answer the question on the grounds that her answer might give information which might be used against her in a criminal proceeding? In other words, is the record clear that she is not invoking the fifth amendment?

Mr. LEWIS. The record is clear that she is refusing to answer on the grounds of relevance.

Mr. ARENS. When and where were you born?

Miss SCHWARTZ. I was born in New York, June 6, 1929.

Mr. ARENS. Give us a word, please, about your education.

Miss SCHWARTZ. I was educated at Brooklyn College and I did graduate work at Wesleyan Reserve University.

Mr. ARENS. When did you complete your graduate work?

Miss SCHWARTZ. 1952.

Mr. ARENS. Give us, if you please, a brief résumé of your employment since the conclusion of your formal education.

(The witness conferred with her counsel.)

Miss SCHWARTZ. I was employed with the Day Nursery Association in Bellefaire.

Mr. ARENS. Where is Bellefaire?

Miss SCHWARTZ. Cleveland, Ohio.

Mr. ARENS. How long were you employed in Bellefaire, Cleveland, Ohio.

Miss SCHWARTZ. A year and a half.

Mr. ARENS. In what capacity?

Miss SCHWARTZ. Social worker.

Mr. ARENS. What did you do after that?

Miss SCHWARTZ. After what?

Mr. ARENS. After your employment at Bellefaire?

Miss SCHWARTZ. I returned to New York.

Mr. ARENS. What did you do then?

Miss SCHWARTZ. What do you mean, what did I do?

I returned to New York.

Mr. ARENS. What did you do after you returned to New York? What was your occupation?

Miss SCHWARTZ. I am now employed as a social worker.

Mr. ARENS. Where?

Miss SCHWARTZ. I gave an answer to that before.

Mr. ARENS. How long have you been employed in your present occupation?

Miss SCHWARTZ. Since, I believe, October.

Mr. ARENS. Have you ever been known by any name other than the name under which you were subpoenaed here, Miriam Schwartz?

Miss SCHWARTZ. My name is Miriam Schwartz.

I decline to answer that question on the ground that it may tend to incriminate me.

Mr. ARENS. Do you honestly apprehend that if you truthfully told this committee whether you have ever been known by any name other than Miriam Schwartz, you would be supplying information which might be used against you in a criminal proceeding?

Miss SCHWARTZ. I believe when you say something like that, sir, you are implying that I have done something criminal.

I am invoking the fifth amendment because I do not want to incriminate myself.

Mr. ARENS. Do you honestly apprehend that if you gave this committee a truthful answer with regard to whether you have used any name other than Miriam Schwartz, you would be giving information which might be used against you in a criminal proceeding?

I advise you that I am asking that question for the reason that I want to ascertain whether your invocation of the fifth amendment is capricious or facetious or in good faith.

Miss SCHWARTZ. I believe that my invocation of the fifth amendment is in good faith and I have a right as an American citizen to invoke it.

Mr. ARENS. Tell us whether or not you honestly apprehend that if you told this committee truthfully whether you had ever been known by any name other than Miriam Schwartz, you might be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with her counsel.)

Miss SCHWARTZ. It is possible, and I think I have made the statement that I would like to make.

Mr. ARENS. Have you ever traveled abroad?

Miss SCHWARTZ. I decline to answer that on the grounds of the fifth amendment.

Mr. ARENS. I lay before you now a document which is a photostatic copy of an application for a passport in which a photograph and signature appear as that of Miriam Schwartz.

I ask you to look at the signature and photograph and then tell us whether or not you can identify them as the photograph and signature of yourself?

Miss SCHWARTZ. It is my signature and photograph, not a very good one, I must say.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this document be marked "Schwartz Exhibit No. 1," and incorporated by reference in this record.

Mr. FRAZIER. It is so ordered.

(The document was incorporated as part of the record by reference.)

Mr. ARENS. On this passport application here which you have just identified, I observe that you applied to the Department of State in March of 1955 and stated on your passport application that you intended to visit France, England, Italy, Israel, and the Scandinavian countries. That is correct, is it not?

Miss SCHWARTZ. That is correct.

Mr. ARENS. Was a passport issued to you pursuant to this application?

Miss SCHWARTZ. It was.

Mr. ARENS. And did you visit France, England, Italy, Israel, and the Scandinavian countries pursuant to the issuance of the passport?

Miss SCHWARTZ. Sir, I feel that the right to travel is a right that all American citizens have. It is guaranteed to us by the first amendment and I think that it is a private, personal matter; that we all have the right to travel and this is given to us.

I decline to answer that question on the grounds stated previously.

Mr. ARENS. Let us get this record clear at this point.

Are you now invoking the fifth amendment in response to the question which has just been posed to you?

Miss SCHWARTZ. I am invoking the first amendment and I am invoking the fifth amendment because I feel that the right to travel is one that we all have that is a private, personal matter and that no person has any right to inquire into this, and I am also invoking the fifth amendment.

Mr. ARENS. Do you honestly apprehend, and we want the record clear on this, if you told this committee whether or not you traveled in 1955, pursuant to the application which you have just identified, that you would be supplying information which could be used against you in a criminal proceeding?

Miss SCHWARTZ. I told you, sir, that I think the right—

Mr. ARENS. Just answer that question.

Do you honestly apprehend that if you told this committee truthfully whether or not you left this country on a passport issued to you in 1955 you would be supplying information that could be used against you in a criminal proceeding. I assert now, for the purpose of this record and for your own information, the reason for that question is to ascertain whether or not you are using the fifth amendment facetiously or capriciously, or in good faith.

(The witness conferred with her counsel.)

Miss SCHWARTZ. It's possible.

Mr. ARENS. You think it is possible that you could be proceeded against in a criminal undertaking if you gave a truthful answer to that question?

Mr. LEWIS. You mean criminal proceeding, is that right?

Mr. ARENS. Yes, sir.

Miss SCHWARTZ. As I say, it's possible and I am invoking the fifth amendment.

Mr. SCHERER. You mean by your testimony to say that it is your belief that this Government cannot restrict an American citizen who is a Communist agent from leaving this country and going to Russia?

Miss SCHWARTZ. I think that the most important thing today, and I think that many leaders have spoken about this, including our own President, President Eisenhower, is the breaking down of barriers so that there can be the freest kind of exchange of peoples, particularly in this period of not war but when we want peace and we want to get to know each other.

Mr. SCHERER. I am asking you to answer my question. You have not answered my question.

Do you feel—I gather that you do from your answer—that this Government would have no right to restrict a Communist agent who is a citizen of this country from leaving this country to go behind the Iron Curtain?

Miss SCHWARTZ. I would say this, sir, that I think everybody has the right to travel, no matter what their political beliefs are. I think further, because this type of approach has been used, men like Dr. Pauling, a very famous scientist who won the Nobel prize, has not been permitted to travel and I think this is very bad for American prestige all over the world.

Mr. SCHERER. Granting that you may feel that way——

Miss SCHWARTZ. Certainly.

Mr. SCHERER. But suppose this Government says, by law, that you cannot do it; then do you believe that an American citizen should do it irrespective of the law of this country?

Miss SCHWARTZ. I think that the Constitution guarantees us the right to travel freely and that that is the most important thing.

Mr. KEARNEY. Let us get organized on this. Let us tell the truth and stop making speeches.

Miss SCHWARTZ. From what I learned in school, sir, the first amendment tells us that we have the right of assembly and that, in the courts, this has been implied to mean the right to travel. This is what I learned at school in the United States.

Mr. ARENS. Then, if you have that belief, you would not fear to assert any right that you felt you had to participate in an assembly, irrespective of where it might take you; is that not correct?

Miss SCHWARTZ. I decline to answer that on the grounds of the fifth amendment.

Mr. SCHERER. Even though it is an assemblage which is directed and controlled by agents of the Communist government?

Miss SCHWARTZ. I don't understand your question, sir.

Mr. SCHERER. You say you have the right to assemble any place in the world, even though those people who are so assembling with you are agents of the Communist conspiracy?

Miss SCHWARTZ. I think you are making inferences, sir. I said I think that we have the right to travel and the right to assembly; that this is guaranteed us by the Constitution.

You asked me about political questions regarding travel. I told you that I felt that all people, regardless of their political beliefs or affiliations, should have the right to travel, and this is my belief.

Mr. KEARNEY. May I ask this one question, Mr. Chairman?

I have listened with interest to your expression just now but, assuming, for argument's sake, that the Department of State restricts travel to certain countries behind the Iron Curtain, do you still feel that you have the right to go there regardless of expressions and directions of the State Department of our own Government?

Miss SCHWARTZ. Might I say that I think it is very, very positive that many of these restrictions have been taken off the passports in the last several months.

Mr. KEARNEY. I am not asking you that question at all.

Miss SCHWARTZ. And I think it should be the responsibility of Congress——

Mr. KEARNEY. I am asking you a simple question.

If the restrictions are imposed in regulations by the State Department, do you still feel you have the right to go any place you want to go?

(The witness conferred with her counsel.)

Mr. KEARNEY. I am assuming while these regulations are in force. (The witness conferred with her counsel.)

Miss SCHWARTZ. I believe that the statement on the passport—

Mr. KEARNEY. I ask the Chair to direct the witness to answer my question by a simple "Yes" or "No."

Mr. FRAZIER. Just answer the question.

Miss SCHWARTZ. Could you repeat the question?

(The record was read by the reporter.)

Miss SCHWARTZ. First of all, I believe that such restrictions—

Mr. KEARNEY. Mr. Chairman, I direct that the witness be directed to answer that question. It is a simple question, "Yes" or "No."

Mr. FRAZIER. I direct the witness to either answer the question or decline to answer.

Miss SCHWARTZ. I don't feel I can answer it in the way it is stated because it's too hypothetical, sir.

Mr. KEARNEY. That is all.

Mr. ARENS. On this passport application which you have identified, there is a stamp saying this passport is not good for travel to a number of countries, including Poland.

Were you cognizant of that restriction on your prospective travel as of the time you filed this passport application which you have identified?

Miss SCHWARTZ. I am sorry, I don't know what passport you are talking about. You showed me a stamp. I don't see any stamp.

Mr. ARENS. The stamp on the passport application which you have there states, in effect—it is right there before you—that the passport is not good for travel to a number of countries, including Poland.

Were you cognizant of that position of the State Department and that prohibition on travel as of the time you filed the application which you have now identified as your passport application?

(The witness conferred with her counsel.)

Miss SCHWARTZ. I really don't recall, sir. I really don't recall.

Mr. SCHERER. I think we should tell counsel that his duty is to advise the witness as to her constitutional and legal rights. I think counsel knows that.

Mr. FRAZIER. You have a copy of the rules? You understand?

Mr. SCHERER. Counsel is not to tell the witness what to answer.

Miss SCHWARTZ. The counsel is not telling me.

Mr. SCHERER. I heard him say.

Miss SCHWARTZ. He asked me if I were cognizant and I said I don't recall.

Mr. SCHERER. I heard what your counsel said and you repeated his answer. He is not allowed to give you an answer to a factual question which is solely within your own knowledge.

Mr. LEWIS. Mr. Chairman, I am aware of the rules of this committee, I assure you.

Mr. SCHERER. I think you should follow them.

Mr. LEWIS. I certainly intend to adhere to them with the proviso that I expect to advise my client as I deem necessary. Now I deny any implication or assertion that I am putting answers in the witness's mouth.

Mr. FRAZIER. You have the right to advise your client but not to answer the questions.

Mr. ARENS. Miss Schwartz did you engage in conversation in this hearing room this morning with a person with whom you associated in 1955, about a year ago, in Warsaw, Poland?

Miss SCHWARTZ. I decline to answer that on the grounds of the fifth amendment.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that just this morning in this hearing room you had a conversation with Joseph Scislowicz, S-c-i-s-l-o-w-i-c-z; is that not a fact?

Miss SCHWARTZ. I decline to answer.

Mr. ARENS. Do you mean to tell this committee that if you gave us a truthful answer as to whether or not you had a conversation in this hearing room this morning with Joseph Scislowicz, you would be supplying information which could be used against you in a criminal proceeding?

Miss SCHWARTZ. I stated my position, sir.

Mr. ARENS. Mr. Scislowicz testified this morning under oath that about a year ago last summer, in 1955, he went to Warsaw, Poland, to attend the Fifth World Youth Festival, and while there he saw you there. Was Mr. Scislowicz lying or was he telling the truth?

Miss SCHWARTZ. I decline to answer that on the grounds previously stated.

Mr. ARENS. Have you violated the passport laws of this country in the course of the last year?

Miss SCHWARTZ. I decline to answer that on the grounds previously stated.

Mr. ARENS. I lay before you a photograph which was identified in this record this morning by Mr. Scislowicz, and ask you if you will look at it and tell us if you recognize any of the people who are in that photograph?

Miss SCHWARTZ. I believe that morally I could not and would not identify that photograph. I believe that I would not like to have anybody have to come before a committee of this kind like I have had to—

Mr. SCHERER. Just a minute.

Counsel, I direct you to ask the witness to answer the question, because now she is giving her reason for refusing to identify that picture and it is because she has some moral compunctions.

Miss SCHWARTZ. That is one reason.

Mr. FRAZIER. You are directed to answer the question.

Miss SCHWARTZ. The other reasons, sir, are grounds, the first amendment. My associates are my private affair and who I associate with is something that I can only decide upon.

Mr. SCHERER. Not if they are members of the Communist conspiracy, they are not your private affair.

Miss SCHWARTZ. I didn't finish answering the question.

Also on the grounds of the fifth amendment.

Mr. SCHERER. I submit that she is not invoking the fifth amendment in good faith, because when I said that she was refusing to answer, she said on moral grounds; that was her real reason and she is invoking the fifth amendment improperly and not in good faith.

Mr. ARENS. Miss Schwartz, tell us all the organizations of which you are currently a member.

Miss SCHWARTZ. I believe my membership in any organization is a private matter; that I have the right to belong to any organization

and that it is private. I think that this is a right and a privilege guaranteed to us as American citizens.

Mr. ARENS. Now, let this record be clear, and I want to be clear, you are not invoking the fifth amendment in response to that question?

Miss SCHWARTZ. That is correct. It is a very general and difficult question to answer, too.

Mr. SCHERER. In order to keep the record clear, I ask that the chairman direct the witness to answer the question.

Mr. FRAZIER. I direct the witness to answer the question.

Mr. SCHERER. The record should show that we do not accept her answer.

Mr. KEARNEY. Did the witness refuse to answer?

Mr. ARENS. Yes.

I put it to you as a fact and ask you to affirm or deny the fact that you did go to Warsaw, Poland, and while there you participated in the youth festival, and that you were at that time a member of the Communist Party?

Miss SCHWARTZ. I decline to answer on the grounds stated previously.

Mr. ARENS. Are you presently a member of the Communist Party?

Miss SCHWARTZ. I decline to answer on the grounds stated previously.

Mr. ARENS. Are you under Communist discipline at the present time?

Miss SCHWARTZ. I decline to answer on the grounds stated previously.

Mr. ARENS. Tell us the organizations of which you were a member when you were in Ohio.

Miss SCHWARTZ. That is a very general question, and I wonder if you could—

Mr. ARENS. Were you a member of the Ohio Labor Youth League?

Miss SCHWARTZ. I decline to answer that.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny it is a fact that you were a member of the State board of the Ohio Labor Youth League?

Miss SCHWARTZ. I decline to answer the question on the grounds previously stated.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny that you were also chairman and secretary of the unity section of the Labor Youth League in Cleveland, Ohio.

Miss SCHWARTZ. I decline to answer on the grounds stated previously.

Mr. FRAZIER. It is difficult for us to hear up here.

What were the grounds?

Miss SCHWARTZ. On the grounds stated previously, the fifth amendment, sir.

Mr. FRAZIER. The fifth amendment?

Miss SCHWARTZ. That is right.

Mr. ARENS. Who was Fred Jerome?

Miss SCHWARTZ. I decline to answer that question on the grounds stated previously.

Mr. ARENS. You and Fred Jerome, Bob Williamson, James Dom-browski, Matthew Borenstein, Sylvia Atkins, and some others were all in Moscow about a year ago; weren't you?

Miss SCHWARTZ. I decline to answer that question on the grounds stated previously.

Mr. ARENS. If you are such a proponent of free travel and feel that everybody has a right to travel any place he wants to, irrespective of any restrictions, why do you have any hesitancy to tell this committee about your own free travel?

Miss SCHWARTZ. I do believe in the right of free travel.

Mr. ARENS. Why do you not tell us about the free travel you have taken pursuant to your assertion of that right?

Miss SCHWARTZ. But I think that I would rather——

(The witness conferred with her counsel.)

Miss SCHWARTZ. I decline to answer that question on the grounds previously stated.

Mr. ARENS. With whom have you been sitting here in the hearing room all morning?

Miss SCHWARTZ. I decline to answer that question on the grounds previously stated.

Mr. ARENS. You are not ashamed of your associates here in this hearing room, are you?

Miss SCHWARTZ. I certainly am not but I decline to answer that question.

Mr. ARENS. The fact is you have been in concert and company here today with people who were at the Warsaw Youth Festival with you, is that not correct?

Miss SCHWARTZ. I decline to answer that question on the grounds previously stated.

Mr. ARENS. Miss Atkins and Miss Gainer were over there with you, were they not?

Miss SCHWARTZ. I decline to answer that question.

Mr. ARENS. Who is Sylvia Atkins?

Miss SCHWARTZ. I have stated previously that I decline to answer questions of that nature.

Mr. ARENS. Who is Joan Gainer?

Miss SCHWARTZ. I stated previously that I decline to answer questions of that nature. You asked me that question several times, sir.

Mr. ARENS. The fact is that you and they in concert made arrangements to get to this Warsaw Youth Festival in violation of the regulations of the Department of State, is that not true?

Miss SCHWARTZ. I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that that concludes the interrogation by the staff of this witness.

Mr. FRAZIER. Any questions?

Mr. SCHERER. Is this witness a native of this country?

Miss SCHWARTZ. Certainly.

Sir, I have a statement that I would like to submit and I would like to submit it to the body.

Mr. ARENS. I respectfully suggest that the statement be filed with the committee.

Mr. FRAZIER. Yes.

Mr. ARENS. I respectfully suggest that she be released from the subpoena and that Sylvia Atkins be called to the stand.

Mr. FRAZIER. The witness may be released.

Mr. ARENS. Sylvia Atkins?

Please remain standing while you are sworn by the chairman.

Mr. FRAZIER. Raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss ATKINS. I do.

TESTIMONY OF SYLVIA ATKINS, ACCOMPANIED BY COUNSEL, ROBERT Z. LEWIS

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Miss ATKINS. My name is Sylvia Atkins, 694 Saratoga Avenue, Brooklyn, N. Y.

Mr. ARENS. Miss Atkins, who is this young lady standing here to the left who was just on the witness stand? Could you tell us?

Miss ATKINS. I did not finish my answer to your question.

Mr. ARENS. Just interrupt your answer and tell us who that young lady is who was on the witness stand just ahead of you.

Miss ATKINS. I feel I have the right to finish my answer to your question.

Mr. ARENS. We feel we have the right to ask you to answer that question.

Tell us who the young lady is who preceded you on the witness stand.

Miss ATKINS. I decline to answer that question on the grounds of the first amendment.

(The witness conferred with her counsel.)

Miss ATKINS. I have a right to associate with whoever I want. It is a right guaranteed to me by the first amendment of the Constitution, and I also feel that I will not be a witness against myself, which is guaranteed to me under the fifth amendment.

Mr. ARENS. Do you honestly apprehend that if you told this committee truthfully who the lady is who preceded you on the witness stand, you would be supplying information which might be used against you in a criminal proceeding?

And I advise you, the reason for that question is so that this committee can be assured that your invocation of the fifth amendment is not capricious or facetious.

Miss ATKINS. I believe I answered your question.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be directed to answer that question.

Mr. FRAZIER. You are directed to answer.

Miss ATKINS. I decline to answer on the grounds previously stated.

Mr. ARENS. Are you represented by counsel?

Miss ATKINS. I am.

Mr. ARENS. Will counsel identify himself?

Mr. LEWIS. Robert Lewis, with offices at 615 Columbus Avenue, New York, N. Y.

Mr. ARENS. Your subpoena is what we call a subpoena duces tecum, requiring you to supply certain documents, including any passports and travel documents issued to you by the Secretary of State of this Nation.

Do you have those documents with you?

Miss ATKINS. I do.

Mr. ARENS. Would you kindly produce them?

I respectfully suggest, Mr. Chairman, that this passport which the witness has just delivered to me be marked "Atkins Exhibit No. 1" and incorporated by reference in this record.

Mr. FRAZIER. It may be so incorporated.

(The document was incorporated as part of the record by reference.)

Mr. ARENS. When did you apply for this passport you have just transmitted to the committee?

Miss ATKINS. I believe it was April 1955.

Mr. ARENS. I lay before you a photostatic copy of the passport application bearing the signature of Sylvia Atkins, and a photograph, and ask you if you would kindly tell us if that is the passport application which you filed, pursuant to which you procured the passport?

(The witness conferred with her counsel.)

Miss ATKINS. I believe it is.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this document, passport application, be marked "Atkins Exhibit No. 2" and incorporated by reference in this record.

Mr. FRAZIER. Let it be so incorporated.

(The document was incorporated as part of the record by reference.)

Mr. ARENS. On your passport application which you have just identified, I observe that you told the State Department when you made this passport application in 1955 that you proposed to take a trip, visit in France, Italy, Germany, England, and Switzerland, and the purpose of the trip was vacation; is that correct?

You observe that there in your passport application?

Miss ATKINS. That is correct.

Mr. SCHERER. Were the statements in your application given under oath?

Mr. ARENS. Yes, sir.

I invite your attention to page 6 of your passport which you have produced to this committee and this particular language:

This passport is not valid for travel to Albania, Bulgaria, China, Czechoslovakia, Hungary, Poland, Rumania, or the Union of Soviet Socialist Republics unless specifically endorsed under authority of the Department of State as being valid for such travel.

At the time you received this passport were you cognizant of that restriction imposed on your passport?

Miss ATKINS. Yes; I was.

Mr. ARENS. And did you travel to any of those countries?

Miss ATKINS. I decline to answer on the grounds of the first amendment, which gives me the right to travel.

I also decline to bear witness against myself on the grounds of the fifth amendment.

Mr. KEARNEY. You mean to say to this committee that regardless of the prohibitions placed upon you in traveling in certain countries, you still have the right to travel wherever you want to go?

Miss ATKINS. Sir, I feel that the rights under the first amendment of the Constitution guarantee every American the right to travel.

Mr. KEARNEY. Is that passport in this witness's possession now?

Mr. ARENS. It was until just 5 or 10 minutes ago when she turned it over to me; yes, sir.

Mr. KEARNEY. Is it the intention of counsel to return the passport?

Mr. ARENS. It is not the intention of counsel to return the passport for the reason that this passport is currently valid for travel. The time has not expired. It is currently in the custody of the committee.

Unless otherwise ordered by the committee, I do not think the committee would want to let this witness, in view of this record, have a document available whereby she could take further trips.

Mr. KEARNEY. I am going to suggest that the passport be kept in the custody of the committee and that the Department of State be notified as to the testimony of the witness, and have the passport taken up with the State Department.

Miss ATKINS. Sir, this is a seizure of my personal property. I feel you have no right under due process of law to take it from me.

Mr. SCHERER. The passport belongs to the Government of the United States.

Miss ATKINS. But it does not belong to the Un-American Activities Committee.

Mr. SCHERER. That passport was obtained by you through fraud and therefore you acquire no property rights in anything obtained through fraud and by perjury. You should know that.

You should be prosecuted for fraud in obtaining the passport and prosecuted for perjury for lying in making your application.

Mr. ARENS. Alluding to your passport application again, I see the countries to be visited, as we said, this application reads: France, Italy, Germany, England, and Switzerland. The application itself contains the prohibition against travel by the applicant to certain countries, including Poland, and that prohibition appears also in the passport.

Now, tell the committee where you went?

Miss ATKINS. I refuse to answer that question on the grounds of the first amendment.

Mr. ARENS. Did you go to France?

Miss ATKINS. And on the grounds of the fifth amendment.

Mr. ARENS. Did you go to France?

Miss ATKINS. I decline to answer for the same reasons previously given.

Mr. ARENS. During 1955, did you see the Eiffel Tower?

Miss ATKINS. I decline to answer that question on the grounds stated previously.

Mr. ARENS. During 1955, in Switzerland, did you happen to see Lake Geneva?

Miss ATKINS. I decline to answer that question on the grounds of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question because observing Eiffel Tower and observing Lake Geneva could not in and of itself possibly incriminate a person.

Miss ATKINS. Are you trying to trap me?

Mr. FRAZIER. I direct the witness to answer the question.

Mr. ARENS. I am just trying to elicit the truth from you.

Mr. KEARNEY. According to the witness's answers, it is not within her to tell the truth.

Mr. ARENS. Do you know a person by the name of Joe Scislowicz?

Miss ATKINS. I decline to answer that question on moral grounds, on the grounds of the first amendment which guarantee me the right to associate with whom I want to, and on the grounds of the fifth amendment.

Mr. ARENS. On this moral ground, do you feel any moral compulsion to give information of a patriotic nature to your Government which might be trying to break up an international conspiracy? Do you have any moral compulsion on that?

Miss ATKINS. Sir, I feel that anyone that has to appear before this committee does not feel it is a very pleasant thing and I would not want anyone to be put in this position as I am.

Mr. ARENS. Would you kindly tell this committee whether or not Joe Scislowicz was telling the truth when he stated this morning that in the summer of 1955 he was in Warsaw, Poland, to attend the Communist-controlled Fifth World Youth Festival, and while there he saw you as part of the American delegation?

Was Scislowicz lying or was he telling the truth?

Miss ATKINS. I decline to answer that question on the grounds of the fifth amendment.

Mr. ARENS. I lay before you a photograph and ask you if you can identify anybody in that photograph.

Miss ATKINS. I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. This person second from the left in this photograph is you, is it not?

Miss ATKINS. I decline to answer on the grounds previously stated.

Mr. ARENS. Why, you are not ashamed of your own physical appearance in this picture are you?

Miss ATKINS. I decline to answer on the grounds previously stated.

Mr. ARENS. Mr. Scislowicz identified that photograph as a photograph which he procured from the press service while in Warsaw, Poland, of the Big Five of the Youth Festival in Poland.

Was Scislowicz lying or was he telling the truth?

Miss ATKINS. I decline to answer that question on the grounds previously stated.

Mr. ARENS. I lay before you a little magazine, New Challenge, the magazine for young Americans, October 1955, with the principal subject, Youth's Festival of Friendship. It is a photograph headed "Youth's Own Meeting at the Summit," and reads:

These five young women—from China, England, the United States, the U. S. S. R., and France—were part of a "summit" meeting on the morning of August 10 which may prove almost as historic as the Geneva Conference 3 weeks earlier.

There is a photograph of these five young women. Look at this photograph and tell us whether or not you recognize your picture in this photograph?

Miss ATKINS. I decline to answer on the grounds previously stated.

Mr. ARENS. Do you honestly apprehend and fear that if you tell this committee whether or not you appear in that photograph you

might be supplying information which might be used against you in a criminal proceeding?

Miss ATKINS. I have answered your question, sir.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

Mr. ARENS. The purpose of the question, I advise the witness, is to establish that your use and invocation of the fifth amendment is not capricious or facetious.

(The witness conferred with her counsel.)

Miss ATKINS. It is possible.

Mr. ARENS. It is possible, you decided, that if you did tell us truthfully whether or not this is your picture, you would be supplying information which could be used against you in a criminal proceeding.

Miss ATKINS. Possible.

Mr. ARENS. I lay before you a photostatic copy of a letter from the acting director of the Passport Office, dated February 14, 1956, addressed to Miss Sylvia Atkins, in which the author of that letter asked you, among other things, if you would supply an affidavit as to whether or not you have ever been a member of the Communist Party. That is the essence of the letter.

Do you recall receiving that letter?

Miss ATKINS. Yes; I do.

Mr. ARENS. Did you supply such an affidavit to the Passport Office of the Department of State?

(The witness conferred with her counsel.)

Miss ATKINS. No; I did not.

Mr. ARENS. It is a pretty unpleasant thing to suggest, an implication that somebody might be a member of the Communist Party; is it not? Do you not regard that as rather impugning your moral fiber if someone would suggest that you are a member of the Communist Party?

Miss ATKINS. I feel your question is rather broad, sir.

Mr. ARENS. Well, now, did the Department by implication at least, suggest in that letter that you might be a member of the Communist Party?

Miss ATKINS. That is what the letter implies.

Mr. ARENS. Why did you not answer the Department of State and say, "No; of course I am not. This transgresses my moral indignation. Of course I was not a member of the Communist Party."

Why did you not do that?

Miss ATKINS. The letter asked me to send in my passport and I feel that the passport is my own personal property; that no one has any right to take the passport from me without a hearing.

Mr. ARENS. And under what right do you feel you derive that property?

(The witness conferred with her counsel.)

Mr. SCHERER. She feels she derives that right under the laws of this country, and then the next minute she says she will not obey the same laws when she feels she does not have to obey them.

Mr. ARENS. Would you please answer the query that is outstanding?

Miss ATKINS. Would you please repeat the question?

Mr. ARENS. Read the question, please.

(The pending question was read by the reporter.)

(The witness conferred with her counsel.)

Miss ATKINS. I believe, sir, I have the right to travel, which is guaranteed to me under the first amendment of the Constitution.

Mr. ARENS. Are you now a member of a conspiracy designed to destroy the Constitution of the United States?

Miss ATKINS. Sir, your question is rather broad.

Mr. ARENS. Then, deny it if you are not a member of a conspiracy designed to destroy the Constitution of the United States, deny it under oath.

Miss ATKINS. I uphold the Constitution of the United States and I am very proud of the heritage of the American Constitution.

Mr. ARENS. Are you now a member of an organization dedicated to the destruction of the Constitution of the United States?

(The witness conferred with her counsel.)

Miss ATKINS. I decline to answer that question on the grounds of the first amendment and the fifth amendment of the Constitution.

Mr. ARENS. Would you kindly tell us to what organizations you belonged while you were a student at Brooklyn College?

Miss ATKINS. Do you want to know what subjects I studied there?

Mr. ARENS. No, to what groups you belonged. Did you belong to a card club?

(The witness conferred with her counsel.)

Miss ATKINS. Your question is rather general. Can you please be specific?

Mr. ARENS. You be specific and tell us now the names of the organizations you belonged to while you were going to Brooklyn College.

(The witness conferred with her counsel.)

Miss ATKINS. I refuse to answer a general question like that.

Mr. ARENS. Why?

Miss ATKINS. I would like you to be specific.

Mr. ARENS. Mr. Chairman, I respectfully suggest that if that is the reason for her declination, she be directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

(The witness conferred with her counsel.)

Miss ATKINS. I have a right to belong to any organization that I wish, sir, and since you have not stated the purpose of this inquiry, I cannot answer your question.

Mr. ARENS. I think, Mr. Chairman, the record can be left at that point.

Mr. FRAZIER. I think we should say also, so that we are complying with the court decision, that we do not accept the answer she has given us.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you are presently a member of the Communist Party?

Miss ATKINS. I decline to answer that question on the grounds of the fifth amendment.

Mr. ARENS. What have you done in the course of your public career to develop sentiment for the repeal of legislation, let us say the McCarran-Walter Immigration and Nationality Act? What have you done along that line?

Miss ATKINS. I would like you to be specific.

Mr. ARENS. You tell us what you have done.

Have you worked out strategy and a campaign in Brooklyn to bring pressure to destroy the McCarran-Walter Act?

Miss WATKINS. I decline to answer that question on the grounds of the fifth amendment.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that, as one of the leaders in the Labor Youth League in Brooklyn, you have been devising strategy and directing a campaign against the McCarran-Walter Immigration and Nationality Act and if that is not so, deny it while you are under oath.

Miss ATKINS. I decline to answer the question on the grounds previously stated.

Mr. ARENS. Who is Gene Gordon?

Miss ATKINS. I decline to answer that question on a moral ground, on the grounds of the first amendment and the grounds of the fifth amendment.

Mr. ARENS. Gene Gordon is New York State teen-age educational director of the Labor Youth League, is he not?

Miss ATKINS. I decline to answer that question on the grounds previously stated.

Mr. ARENS. Who is Stanley Goodman?

Miss ATKINS. I decline to answer that question on the grounds previously stated.

Mr. ARENS. Stanley Goodman is one of your colleagues in the Labor Youth League in Brooklyn, is he not?

Miss ATKINS. I decline to answer that question on the grounds previously stated.

Mr. ARENS. I lay before you a photostatic copy of an announcement of a rally, November 1955, "Annual Rally Observing the November Anniversaries, 38th Founding of Soviet State, 22d Diplomatic Relations Between U. S. A. and U. S. S. R.," admission, \$1, National Council, American-Soviet Friendship, 114 East 32d Street, New York 16. Among those who are the leaders of the rally is a person identified here as Sylvia Atkins.

Could you help the committee and tell us if you know the Sylvia Atkins who is identified in that announcement?

Miss ATKINS. I decline to answer that question on the grounds of the fifth amendment.

Mr. ARENS. That Sylvia Atkins is you; is it not?

Miss ATKINS. I decline to answer that question on the grounds previously stated.

Mr. ARENS. In March 1955, you were one of the delegates to the New York State Labor Youth Convention in New York City, were you not?

Miss ATKINS. I decline to answer that question on the grounds previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this will conclude the staff interrogation of this witness, with one exception.

We have a photograph here that we would like to call to her attention.

I lay this photograph before you now and ask whether you can see your own physical features any place in that photograph.

(The witness conferred with her counsel.)

Miss ATKINS. I decline to answer that question on the grounds previously stated.

Mr. ARENS. You mean to tell this committee that your moral stamina which you have been alluding to precludes you from telling this committee, a committee of Congress, whether or not this is your photograph?

Miss ATKINS. I decline to answer that question on the grounds previously stated.

Mr. ARENS. This photograph, Mr. Chairman, is the exhibit which was identified this morning by Mr. Scislowicz and which he took in Warsaw, Poland.

That, if you please, Mr. Chairman, concludes the staff interrogation of this witness.

Miss ATKINS. I demand the return of my passport.

Mr. FRAZIER. Just a minute.

Any questions, gentlemen?

Mr. KEARNEY. Did I understand from your testimony that you attended Brooklyn College?

Miss ATKINS. Can you please repeat the question?

(The pending question was read by the reporter.)

Miss ATKINS. Yes, I did.

Mr. KEARNEY. Did you graduate from Brooklyn College?

Miss ATKINS. No, I did not.

Mr. KEARNEY. I presume that you consider yourself a loyal American?

Miss ATKINS. I do.

Mr. KEARNEY. If you had any information of your own knowledge that you could give to this committee concerning any organization which had for its objective the overthrow of this Government by force or violence, would you give it to the committee?

Miss ATKINS. I believe you are trying to trap me by your question.

Mr. KEARNEY. I request the chairman to direct the witness to answer my question.

Mr. FRAZIER. You are directed to answer the question.

(The witness conferred with her counsel.)

Miss ATKINS. I believe your question is hypothetical.

Mr. KEARNEY. I cannot hear you.

Miss ATKINS. I said I believe your question is a hypothetical question.

Mr. KEARNEY. There is nothing hypothetical about the question at all. I asked you whether you would give information to this committee, if you had any, concerning any organization which had for its objective the overthrow of our Government by force or violence?

Miss ATKINS. I have answered your question. I feel that it is purely a hypothetical question.

Mr. SCHERER. Even if it is hypothetical, there is nothing which prevents this committee from asking you.

Miss ATKINS. I do not have to answer hypothetical questions.

Mr. KEARNEY. Let me put the question to you this way:

Do you have any information concerning any organization that has for its objective the overthrow of this Government by force or violence?

There is no "if" in this question.

(The witness conferred with her counsel.)

Miss ATKINS. I decline to answer that question on the grounds—

Mr. KEARNEY. Miss Atkins, this is my personal opinion: For your

testimony here today, the subterfuge that you used to obtain this passport to travel to other places, and for your type of loyal American, I have only the utmost contempt.

Mr. LEWIS. May I say that the record of this committee shows nothing to support the position.

Mr. FRAZIER. Counsel, you are not permitted to reply.

Mr. LEWIS. I want the record to stand as it is.

Mr. FRAZIER. Do you want the witness excused?

Mr. ARENS. I would suggest one more question.

I would like to ask the witness if she knows Joan Gainer, the next witness, who is present in the hearing room.

Miss ATKINS. I decline to answer that question on the moral ground, the ground of the first amendment, and the fifth amendment, and I demand my passport.

Mr. FRAZIER. The witness is excused and the passport has been turned over to the committee under subpoena duces tecum and will be held by the committee for the present.

Mr. KEARNEY. I would like to make this statement, Mr. Chairman:

In listening to the testimony of the witness, I am convinced that she is in absolute contempt of this committee and I am going to so move when we have the full committee meeting.

(The witness conferred with her counsel.)

Mr. ARENS. The staff has no further questions of this witness, Mr. Chairman.

Mr. FRAZIER. You are excused.

Mr. ARENS. I respectfully suggest that Joan Gainer please come forward.

Please remain standing while the chairman administers the oath to you.

Mr. FRAZIER. Raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. GAINER. I do.

TESTIMONY OF JOAN RUTH GABRINER GAINER, ACCOMPANIED BY COUNSEL, ROBERT Z. LEWIS

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mrs. GAINER. My name is Mrs. Joan Ruth Gainer. I live at 316 West 36th Street, New York 18, N. Y., and I am a dancer.

Mr. ARENS. Are you appearing today, Mrs. Gainer, in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mrs. GAINER. That is correct.

Mr. ARENS. Then you are represented by counsel?

Mrs. GAINER. That is correct.

Mr. ARENS. Will counsel please identify himself?

Mr. LEWIS. Robert Lewis, 615 Columbus Avenue, New York, N. Y.

Mr. ARENS. Mrs. Gainer, you came in response to a subpoena duces tecum?

Mrs. GAINER. What was that?

Mr. ARENS. The subpoena requests you to produce your passport and other documents, does it not?

Mrs. GAINER. Yes.

Mr. ARENS. Do you have them?

Mrs. GAINER. I have.

Mr. ARENS. Kindly produce them.

(The witness conferred with her counsel.)

Mrs. GAINER. You also wish the subpoena?

Mr. ARENS. No; just the passport.

Mrs. GAINER. But I wish to have this passport back at the end of this interrogation.

Mr. ARENS. Will you produce the passport?

Mrs. GAINER. I will produce it but I wish to have it back.

Mr. ARENS. You have made your request known to the committee.

I respectfully suggest, Mr. Chairman, that this document which Mrs. Gainer has just handed me be marked "Gainer Exhibit No. 1" and incorporated by reference in this record.

Mr. FRAZIER. It may be so incorporated.

(The document was incorporated as part of the record by reference.)

(The witness conferred with her counsel.)

Mr. ARENS. Now, Mrs. Gainer, for further purposes of identification, you are the wife of Harold Gainer?

Mrs. GAINER. That is correct.

Mr. ARENS. When did you apply for this passport which you have just turned over to me?

Mrs. GAINER. I believe that was in June of 1955.

Mr. ARENS. I should like now to lay before you a document, photostatic copy of an application for a passport. Before doing so, however, I want to ask you your maiden name.

Mrs. GAINER. Gabriner, G-a-b-r-i-n-e-r.

Mr. ARENS. This is a photostatic copy of an application for passport, signed by Joan Ruth Gabriner; that was your maiden name?

Mrs. GAINER. Yes.

Mr. ARENS. Did you make such a passport application?

I shall lay it before you here. Is that your signature and do you identify that document?

Mrs. GAINER. Yes, this is my application.

Mr. ARENS. I invite your attention to the countries to be visited, as indicated on this passport application, which is dated 1955 or filed in 1955—France, England, Germany, Switzerland, and so forth. The purpose of the trip is listed as tourist, pleasure?

Mrs. GAINER. That is right. The application was made for a honeymoon.

Mr. ARENS. For a honeymoon?

Mrs. GAINER. That is right.

Mr. ARENS. Your husband, I take it, filed a similar application?

Mrs. GAINER. He did.

Mr. ARENS. Did you, pursuant to that application, receive a passport which you have delivered to the committee?

Mrs. GAINER. I did.

Mr. ARENS. And this passport on page 6 thereof has this language, does it not:

This passport is not valid for travel to Albania, Bulgaria, China, Czechoslovakia, Hungary, Poland, Rumania, or the Union of Soviet Socialist Republics

unless specifically endorsed under authority of the Department of State as being valid for such travel.

Is that correct?

Mrs. GAINER. That is correct.

Mr. ARENS. You knew that at the time you received the passport, did you not?

Mrs. GAINER. Yes.

Mr. ARENS. Where did you go pursuant to this passport?

Mrs. GAINER. I decline to answer that question, sir, on the grounds of the first amendment, which grants me the right to peacefully assemble and therefore travel, and on grounds of the fifth amendment, as I do not wish to say anything which may tend to incriminate me.

Mr. ARENS. You told us a little while ago you made this application for a honeymoon?

Mrs. GAINER. That is correct.

Mr. ARENS. That honeymoon was not a criminal enterprise, was it?

Mrs. GAINER. A honeymoon is not a criminal enterprise.

Mr. ARENS. Tell us where you went on this honeymoon?

Mrs. GAINER. I decline to answer that, sir, on the grounds previously stated.

Mr. ARENS. What grounds are those?

Mrs. GAINER. On grounds of the first amendment which grants me the right to travel, and on grounds of the fifth amendment.

Mr. ARENS. Did you take a honeymoon?

Mrs. GAINER. I decline to answer that question.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer the question as to whether she took a honeymoon.

Mr. FRAZIER. You are directed to answer the question.

(The witness conferred with her counsel.)

Mrs. GAINER. I answered your question, sir.

Mr. ARENS. Who was the lady on the witness stand just before you; could you help us on that?

Mrs. GAINER. I decline to answer that, sir, on moral grounds and that I do not wish to intimidate anyone or have them subjected to any kind of hearing before this committee; also on the grounds of the first amendment, which grants me the right to association and on the grounds of the fifth amendment.

Mr. SCHERER. Before we go further, I have one question, Mr. Chairman.

Did you travel in any of the countries which are prohibited in this passport?

Mrs. GAINER. I decline to answer that question on grounds previously stated.

Mr. ARENS. This passport does not have a visa or permit to go to Poland, does it?

Mrs. GAINER. Not to my knowledge, sir.

Mr. ARENS. You did not have it so stamped at all, did you?

(The witness conferred with her counsel.)

Mrs. GAINER. I decline to answer that, sir, on grounds previously stated.

Mr. ARENS. Did you ever visit France, England, or Switzerland, which you listed on your passport application as countries in which you wanted to travel?

Mrs. GAINER. I decline to answer that on grounds previously stated.

Mr. ARENS. This morning a gentleman took the stand and testified under oath that last summer he went to Warsaw, Poland, on a valid passport for the Fifth World Youth Festival to be held in Warsaw. He identified a number of people who were at this world youth festival, including yourself.

Was he lying or was he telling the truth?

Mrs. GAINER. I decline to answer that, sir, on grounds previously stated.

Mr. ARENS. I lay before you a photograph which bears a likeness and, to my eye, looks very much like you. See if you can help us identify that photograph. Is that you right in the middle of that photograph, wearing eyeglasses?

Mrs. GAINER. I decline to answer, sir, on the grounds of the fifth amendment.

Mr. ARENS. Mr. Scislowicz identified this photograph this morning as a photograph which he took over in Warsaw, Poland of a number of delegates to a world festival of youth to build peace. Was he lying or was he telling the truth?

Mrs. GAINER. Would you repeat the question, please?

Mr. ARENS. Mr. Scislowicz this morning said under oath that that photograph was a photograph which he took of people in Warsaw, Poland, at the world youth festival in 1955.

Was he lying or was he telling the truth?

Mrs. GAINER. I decline to answer that, sir, on the grounds that it might tend to incriminate me.

Mr. ARENS. You got pretty well acquainted with Joe Scislowicz while you were over there in Warsaw, did you not?

Mrs. GAINER. I decline to answer that on grounds previously stated.

Mr. ARENS. Look at that letter there and see if you can identify your signature on that letter?

(The witness conferred with her counsel.)

Mrs. GAINER. I decline to answer that, sir, on the grounds of the fifth amendment.

Mr. ARENS. You are not ashamed of your signature, are you?

Mrs. GAINER. I certainly am not ashamed.

Mr. ARENS. Why do you not tell us whether or not that is your signature on this letter?

Mrs. GAINER. I have answered your question. I decline to answer.

Mr. ARENS. This letter has been identified by Mr. Scislowicz as a letter which he received from you after you got back to New York City in which you were telling him all about the festival and all that was going to be done pursuant to the festival.

Was Scislowicz lying or telling the truth?

Mrs. GAINER. I decline to answer that, sir, on grounds previously stated.

Mr. ARENS. Are you a peace partisan? Are you dedicating your life to developing peace in the world?

Mrs. GAINER. I think peace in the world is an extremely important thing, especially in this hydrogen bomb era where it would be a terrible thing if there were war between nations.

Mr. ARENS. What are you doing along that line to help promote peace?

Mrs. GAINER. I decline to answer that question.

Mr. ARENS. If peace is such a commendable objective, why is it that you invoke the fifth amendment when we ask you what you are doing to obtain that laudable objective?

Mrs. GAINER. I am granted by the Constitution the right to invoke the fifth amendment, which I have done.

Mr. ARENS. Do you honestly apprehend that if you told this committee truthfully what you are doing, and have done, to promote the laudable objective to have peace, you would be supplying information which could be used against you in a criminal proceeding?

Mrs. GAINER. I said I was using the fifth amendment because anything I might say might be used to incriminate me.

Mr. SCHERER. How could any activity of yours on the part of peace incriminate you?

(The witness conferred with her counsel.)

Mrs. GAINER. I believe that that is a difficult question to answer in a way. I believe that circumstances under which I am here today—

Mr. ARENS. Do the best you can.

Mrs. GAINER. And a hearing conducted in such an atmosphere, do not make it possible for me to talk about my activities, my views.

Mr. ARENS. We do not want your views. We just want to know if you went to Warsaw, Poland, to attend this youth festival which condemned the United States for the alleged use of bacteria in warfare, all kinds of atrocities alleged to have been committed by the American troops?

Now just stand up and tell this committee while you are under oath, with all the moral indignation you want to use, what you did in Warsaw, Poland.

Mrs. GAINER. I decline to answer that, sir, on the grounds previously stated.

Mr. ARENS. Have you ever traveled abroad at all?

Mrs. GAINER. I decline to answer that on the grounds previously stated.

Mr. ARENS. Are you now a member of the Communist conspiracy?

Mrs. GAINER. Well the Communist conspiracy has been interpreted in many ways. Some people who simply believe that peace is a very noble objective have been accused of being a member of the Communist conspiracy?

What do you mean by the Communist conspiracy?

Mr. ARENS. What do you mean by the Communist conspiracy?

Are you part and parcel of the Communist conspiracy?

Mrs. GAINER. I decline to answer that, sir, because the question is personally ambiguous and, secondly, on the grounds of the fifth amendment.

Mr. KEARNEY. Do you believe that the Communist Party is a political party?

Mrs. GAINER. I decline to answer that, sir, on the grounds of the fifth amendment.

Mr. KEARNEY. Do you believe that it is an international conspiracy?

Mrs. GAINER. I decline to answer that on the grounds previously stated.

Mr. ARENS. Are you connected with a student paper in New York City called Campus Sense?

Mrs. GAINER. I decline to answer that on grounds previously stated.

Mr. ARENS. Have you been connected with any student publication?

Mrs. GAINER. I decline to answer that on grounds previously stated.

Mr. ARENS. Were you connected with Campus Sense when you wrote to Scislowicz, in effect, under date of October 6, 1955:

We will, in turn, send you copies of anything we have printed and also will mail you copies of Campus Sense, the student paper with which we are connected.

Is that not true?

Mrs. GAINER. I decline to answer that, sir, on the grounds of the fifth amendment.

Mr. ARENS. Did you go to Sofia in 1955?

Mrs. GAINER. I decline to answer that on the grounds previously stated.

Mr. ARENS. Did you not write to "Dear Joe" and tell him, under date of October 6, 1955, that you and Ken——

Mrs. GAINER. My husband's name is Harold.

Mr. ARENS. Who is Ken then?

Mrs. GAINER. I decline to answer that on moral grounds and that I would not want anyone to appear before this committee under such an atmosphere and on the grounds of the first amendment, which guarantee my right of association and on grounds of the fifth amendment.

Mr. KEARNEY. What was that about the atmosphere then?

Mrs. GAINER. I feel that the committee hearing is not one which is conducive to people speaking without becoming intimidated.

Mr. KEARNEY. You have not been intimidated here today, have you?

Mrs. GAINER. I decline to answer that, sir, on the grounds of the fifth amendment.

Mr. KEARNEY. I thought that would be your answer.

Mr. ARENS. Was your husband with you at Warsaw, Poland?

Mrs. GAINER. I decline to answer that on the basis of the husband-wife privilege.

Mr. SCHERER. I ask that she be directed to answer the question.

Mr. FRAZIER. You are directed to answer the question.

(The witness conferred with her counsel.)

Mr. SCHERER. Husband and wife privilege applies only in those cases——

Mrs. GAINER. I used the husband and wife privilege and I maintain this.

Mr. ARENS. Who paid for the honeymoon, do you recall?

Mrs. GAINER. I decline to answer that on the grounds previously stated.

Mr. ARENS. The fact is that it was not a honeymoon except that you hoped to go there shortly after you were married, is that not true?

Mrs. GAINER. I decline to answer on the grounds previously stated.

Mr. ARENS. The fact is that the Communist conspiracy promoted and paid for your transportation behind the Iron Curtain to attend this bogus peace conference, is that not so?

Mrs. GAINER. I decline to answer that on the grounds previously stated.

Mr. ARENS. Have you ever been in a conference at which people representing other countries condemned the United States of America for the alleged use of bacteria in warfare, for all kinds of atrocities alleged to have been committed by the American troops?

Mrs. GAINER. I decline to answer that on the grounds previously stated.

Mr. ARENS. What was the atmosphere in which you did hear that type of allegation?

Mrs. GAINER. I decline to answer on the grounds previously stated.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that would conclude the interrogation by the staff of this witness.

Mrs. GAINER. Mr. Chairman, I have a statement which I wish to submit to the committee, and I also wish to request my passport again.

Mr. FRAZIER. We will receive the statement that you have prepared there for consideration by the committee. The passport will be held for the time being as having been delivered to the committee under subpoena duces tecum.

Mrs. GAINER. Under my constitutional right, sir, I am permitted to have this passport; it is my property and I consider this a theft if it is taken from me, and I will take action to receive it back again. I demand my passport again.

(The witness conferred with her counsel.)

Mr. FRAZIER. The witness is excused.

The subcommittee will now recess.

Mrs. GAINER. Sir, my passport has not been returned to me.

Mr. FRAZIER. I answered you that it had been delivered to the committee under subpoena duces tecum.

Whereupon, at 3:30 p. m., Friday, May 25, 1956, the subcommittee recessed, subject to the call of the Chair.)

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